- Allows a covered entity instead to have a cybersecurity program that protects both personal information and restricted information and therefore to be entitled to assert an affirmative defense to a cause of action involving a data breach concerning personal information or restricted information.

Other provisions

- Specifies that the bill does not provide a private right of action that would allow a person to sue a covered entity for failing to follow the bill's cybersecurity requirements.
- Specifies that the bill's provisions are severable.
- States that the bill is intended to encourage improved cybersecurity through voluntary action and not to create a minimum cybersecurity standard that must be achieved.

Additional Information

- GAO Committee accepted a substitute bill that does the following:
  - Modification to 1354.01(E) definition of Restricted Information.
    - A materiality element should be included in the definition of Restricted Information. If the materiality test is not included, the scope of data becomes too broad and includes data that may not ever feasibly lead to identity theft or harm, but a failure of a covered entity to protect would defeat the availability of the affirmative defense.
  - Change "complies" to "conforms" in Section 1354.02 and 1354.03.
    - Using "complies" here seems to cause concerns with security professionals. The covered entity can make its program conform to the control framework, but it can only comply with its program (and selected controls of the framework). A covered entity cannot necessarily "comply" directly with the framework – it's a two-step process. Since the Payment Card Industry (PCI) has a distinct set of requirements for compliance, the language that relates to that standard is set at "complies."
  - Clarification to 1354.01(D)(1) and (2) grant of an affirmative defense.
    - Changed the word choice to be consistent with other grants of an affirmative defense in the code.
  - Clarification to 1354.01(A)
    - Deleted "financial institution" and refer to any of the foregoing business types
  - Clarification to 1354.01 (C)
    -This change would revise "owned or licensed by a person"
  - Clarification to 1354.01(C)(1)
    - This suggestion changes "person" to "covered entity" (reason: relic of 1349 and not defined in 1354) to use words in the existing statute.
  - Clarification to 1354.01(E)
    - Add "individual" to carry over definition from 1349
  - Clarification to 1354.03
    - Revise this section to any of (A), (B), or (C) are satisfied (reason: (D) does not have to be satisfied, it applies to (A)-(C)).
  - Clarification to 1354.03 (B)(1)
    - Added the following language "The covered entity is regulated by the state, by the federal government, or both, or is otherwise subject to the requirements of any of the laws or regulations listed below, and the cybersecurity program

reasonably conforms to the entirety of the current version of any of the following, subject to division (B)(2) of this section:

- Clarification to 1354.02(A)(1)
  - Adds "or" to line 63
- Addition to 1354.03 (B)(1)(d)
  - Adds Health Information Technology for Economic and Clinical Health (HI-TECH) Act to the list of laws and regulations for a covered entity to conform to.

- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

Caucus Agenda
Tuesday, June 26, 2018
7:00 PM

I. Speaker's Remarks
II. Floor Calendar
    a. House Bill 7 – Rep. Cupp – Reported out of Civil Justice (11-2, Dever)
        i. Address medical claims and provider immunities
    b. House Bill 36 – Rep. Vitale – Reported out of Community and Family Advancement (8-4)
        i. Allow minister not to solemnize marriages contrary to beliefs
    c. House Bill 92 – Rep. Schaffer – Reported out of Criminal Justice (13-0)
        i. Require public indecency before minors offenders to register
    d. House Bill 126 – Rep. Rezabek, Boyd – Reported out of Finance (26-0)
        i. Require region-based kinship caregiver navigator program
    e. House Bill 156 – Rep. Schuring – Reported out of Insurance (11-0)
        i. Address vision care insurance limits
    f. House Bill 211 – Rep. Hughes – Reported out of Economic Development, Commerce, and Labor (12-2, Hood, Dean)
        i. License home inspectors
    g. House Bill 240 – Rep. Barnes – Reported out of Higher Education and Workforce Development (12-0)
        i. Require state higher ed to adopt sex offense policies
    h. House Bill 349 – Reps. LaTourette – Reported out of Criminal Justice (13-0)
        i. Increase and expand crime of assaulting a police animal
    i. House Bill 355 – Reps. Hill, Rezabek – Reported out of Criminal Justice (13-0)

i. Prohibits sexting if under 21 but allows diversion from penalty

j. House Bill 386 – Reps. Henne, Kelly – Reported out of FIHUD (12-0)
   i. Modify credit reporting agency fees for a credit report freeze

k. House Bill 425 – Reps. Antani, Craig – Reported out of Government Accountability and Oversight (12-0)
   i. Declare police body camera recordings not to be public records

l. House Bill 428 – Reps. Ginter, LaTourette – Reported out of Education and Career Readiness (13-6)
   i. Enact Ohio Student Religious Liberties Act of 2018

m. House Bill 469 – Reps. Schuring, Patton – Reported out of Government Accountability and Oversight (12-0)
   i. Grant tax credit for transformational mixed use development

n. House Bill 479 – Reps. Lipps, West – Reported out of Government Accountability and Oversight (12-0)
   i. Disclose drug price information to patients

o. House Bill 480 – Rep. Hill – Reported out of Civil Justice (11-0)
   i. Establish requirements for multi-parcel auctions

p. House Bill 497 – Reps. Rogers, Manning – Reported out of Community and Family Advancement (13-1, Vitale)
   i. Prohibit disseminating private sexual images

q. House Bill 500 – Rep. Carfagna – Reported out of State and Local Government (14-0)
   i. Change township law

r. House Bill 502 – Rep. Anielski – Reported out of Education and Career Readiness (19-0)
   i. Train public school educators about youth suicide

s. House Bill 511 – Reps. Lanese, Rogers – Reported out of Community and Family Advancement (11-0)
   i. Change age at which can marry

t. House Bill 540 – Reps. Gavarone, Manning – Reported out of Education and Career Readiness (17-2, Hood)

i. Regards teacher evaluations

u. House Bill 543 – Reps. Perales, Hambley – Reported out of State and Local Government (11-0)
   i. Allow prosecutor to contract to give outside legal advice

v. House Bill 572 – Reps. Scherer, Howse – Reported out of Aging and Long-Term Care (11-0)
   i. Regards PERS service credit for nonteaching DD board employees

w. House Bill 595 – Reps. Cupp, Rezabek – Reported out of Civil Justice (12-0)
   i. Revise law of wills, trusts, and suspicious deaths

x. Senate Bill 66 – Sens. Eklund, Tavares – Reported out of Criminal Justice (13-0)
   i. Modify criminal sentencing and corrections law

y. Senate Bill 81 – Sen. Terhar – Reported out of Armed Services, Veterans Affairs, and Homeland Security (10-1)
   i. Revise licensing rules for military personnel concealed carry

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   i. Require actions when driver approaches waste collection vehicle

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   i. To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs

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   i. To provide a legal safe harbor to covered entities that implement a specified cybersecurity program

cc. Senate Bill 221 – Sen. Uecker – Pending in Government Accountability and Oversight
   i. To reform agency rule-making and legislative review thereof

dd. Senate Bill 239 -- Sen. Dolan – Pending in State and Local Government
    i. To modify the law concerning regional councils of governments
ee. Senate Bill 299 – Sen. Gardner – Reported out of Finance (23-0)
    i. To allow equipment for the protection and preservation of Lake Erie to be purchased with proceeds from the Parks and Recreation Improvement Fund, and to appropriate funds for projects enhancing water quality in the Western Lake Erie Basin

III. Adjournment

From: Myers, Marisa
Sent: Wednesday, June 27, 2018 9:37 AM
To: Kerns, Emily; Sarko, Alyssa; Garczyk, Cameron
Subject: Updated Agenda
Attachments: Caucus Agenda -- 6.27.18 MM.docx

Importance: High

Marisa Myers
Deputy Policy Director | Majority Caucus
Ohio House of Representatives | 77 S. High Street Columbus, Ohio 43215
p. 614.728.5523 | e. Marisa.Myers@ohiohouse.gov

Caucus Agenda
Wednesday, June 27, 2018
10:00 AM

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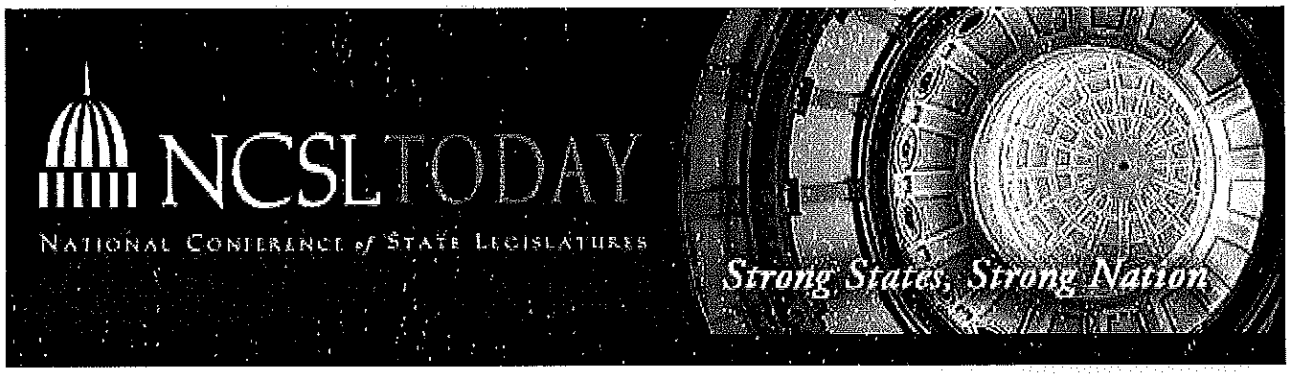
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III. Adjournment

From: NCSL TODAY
Sent: Wednesday, June 27, 2018 12:08 PM
To: Sarko, Alyssa
Subject: Supreme Court delivers sharp blow to unions

NCSL Today | Manage your subscription



TOP NEWS June 27, 2018

Supreme Court delivers sharp blow to unions

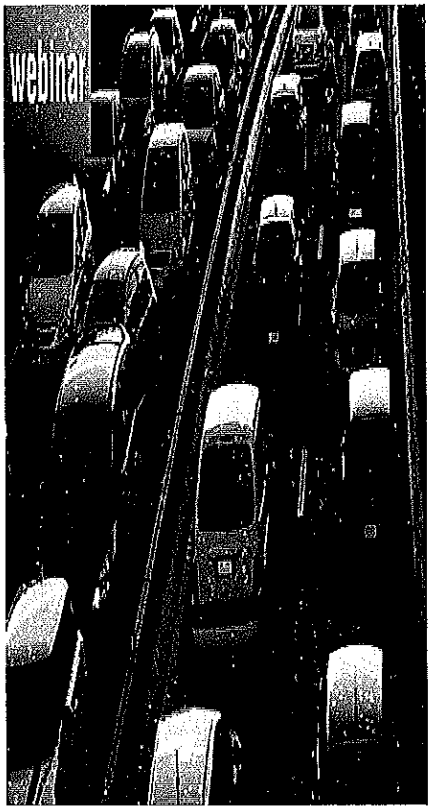
The New York Times

The Supreme Court on Wednesday dealt a major blow to organized labor. By a 5-to-4 vote, with the more conservative justices in the majority, the court ruled that government workers who choose not to join unions may not be required to help pay for collective bargaining.

Court rules Virginia House districts unconstitutionally racially gerrymandered

Richmond Times-Dispatch

A federal court ruled Tuesday that the Virginia House of Delegates unconstitutionally packed African-American voters into 11 legislative districts and ordered the General Assembly to draw new district lines by Oct. 30.



FEATURED

California lawmakers advance last-minute data privacy bill

Associated Press

California state senators advanced a last-minute internet privacy bill Tuesday ahead of a deadline while acknowledging it would need changes if it becomes law. The bill would let consumers ask companies what personal data they collect and opt out of having their data sold, among other privacy provisions.

Oklahoma voters approve medical marijuana

CNN

The measure requires a medical marijuana license with approval from an Oklahoma Board certified physician, that would be issued by the state's Department of Health. It also establishes a minimum age of 18 for medical marijuana licenses, although younger applicants can get an exception if a parent or guardian, and two doctors sign. **NCSL data cited.**

NCSL resources on medial marijuana.

California abortion ruling puts other states' laws in doubt

Governing

Supreme Court justices on Tuesday sided with anti-abortion groups in a case over what information crisis pregnancy centers have to give patients.

Kansas conservatives push to restrain state Supreme Court after schools ruling

Webinar Thursday: Federal infrastructure funding - an update while we wait

One of the most talked-about possibilities for federal action in 2018 is a new infrastructure bill that aims to inject what nearly all experts agree is a significant boost of funds for many of our national infrastructure systems.

NEW@NCSL

Webinar Wednesday: Patient barriers to opioid use disorder treatment

Capitol to Capitol: 'In the name of federalism and free markets'

Connect with the new NCSL Events mobile app

BLOG

Can you track me now? Not without a warrant

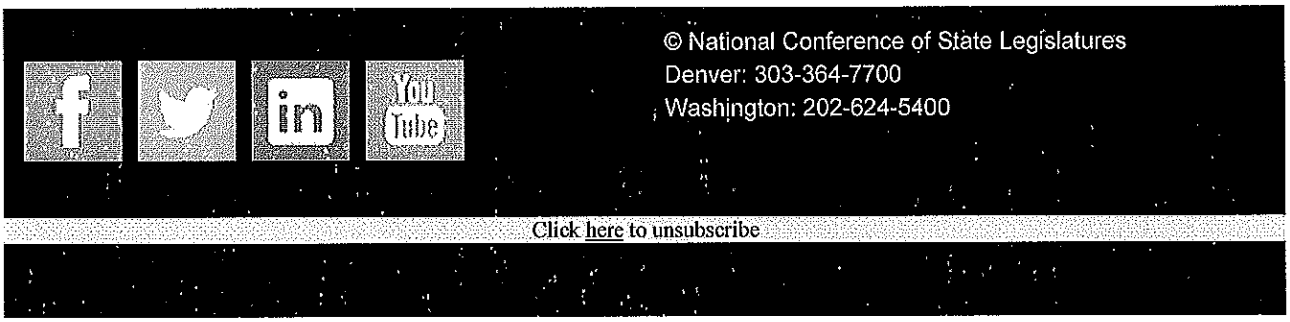
In a long-awaited decision in *Carpenter v. United States*, the U.S. Supreme Court held 5-4 that the Fourth Amendment requires the

Wichita Eagle

Calls for a state constitutional amendment to restrain the Kansas Supreme Court are growing louder after the justices ruled again that lawmakers are not adequately funding schools.

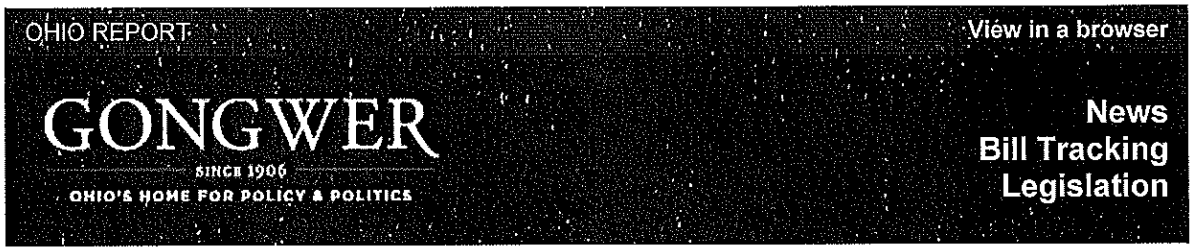
government to receive a warrant to obtain cell-site location information.

= A



7700 East First Place, Denver, CO 80230

From: Gongwer News Service
Sent: Wednesday, June 27, 2018 10:24 PM
To: Sarko, Alyssa
Subject: Ohio Report, Wednesday, June 27, 2018
Attachments: Jun27Senate.htm; 180627dayplan.htm; Jun27.htm; Jun27House.htm



OHIO REPORT
WEDNESDAY, JUNE 27

Lake Erie, Voting Machine Funding Among Bills Headed To Governor

Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House

Senate Passes Measures Focused On Reducing Regulations

Bills Amended To Enhance Online School Oversight Head To Governor

Senate Panel Delays Vote On Energy Standards, Wind Setback Bill

Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing

High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement

Chairman: Senate Looking For Balance With Payday Lending Measure

Prosecutors Praise Beefed Up Parole Monitoring Bill

Senate Releases Session Calendar

Governor's Appointments

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

- Energy & Natural Resources
- Government Oversight & Reform
- Finance
- Transportation, Commerce & Workforce
- Education

House Committee Hearings

- Agriculture & Rural Development
- Insurance
- Government Accountability & Oversight
- Health
- Civil Justice

ACTIVITY REPORTS

House

Senate

CALENDARS

Day Planner

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Senate Activity for Wednesday, June 27, 2018

INTRODUCED

SB 313 **COLLEGE APPLICATION MONTH** (Schiavoni, J.) To establish the College Application Month program. Am. 3314.03, 3326.11, and 3328.24 and to enact sections 3313.6024 and 3333.301.

SB 314 **SCHOOL PSYCHOLOGISTS** (Schiavoni, J.) With regard to mental health services in public and nonpublic schools, to require school districts to employ school psychologists and intervention specialists, to provide an additional state payment to school districts for school psychologist and intervention specialist services, and to make an appropriation. Am. sections 3314.03 and 3326.11 and to enact sections 3301.0730, 3317.26, 3319.077, and 3319.078 of the Revised Code and to amend Section 265.10 of Am. Sub. H.B. 49 of the 132nd General Assembly and Section 265.210 of Am. Sub. H.B. 49 of the 132nd General Assembly, as subsequently amended.

PASSED

HB 18 **SPECIAL ELECTIONS** (Pelanda, D., Retherford, W.) to eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances; to authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers, to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices; and to require that, upon request, county auditors, municipal fiscal officers, and their employees must share lodging tax return information with the directors of convention and visitors' bureaus operating in their counties.
(32-0 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of the enrollment records of a community school, to clarify the time period within which a school district emergency levy or substitute levy may be renewed or replaced, to clarify the responsibilities of a school district treasurer regarding the signing or executing of certain documents, to require the State Board of

Education to adopt standards for learning management software for internet- and computer-based community schools, regarding qualification for state payments by internet- or computer-based community schools, regarding joint health and medical insurance programs by political subdivisions and county boards of developmental disabilities, regarding submission of five-year financial forecasts by public schools, and regarding the moratorium on certain provisions affecting community schools and school districts whose enrollments were affected due to enrolling students of a suspended e-school.
32-0 (Schiavoni & Skindell) Earlier REPORTED-AMENDED
Gongwer Coverage

HB 95 **DISTRACTED DRIVING** (Hughes, J., Seitz, B.) To establish an enhanced penalty for committing a moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import.
31-1 (Jordan)
Gongwer Coverage

HB 168 **CEMETERY REGISTRATION** (Stein, D.) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, to allow the Board of Embalmers and Funeral Directors to review and vote upon certain license suspensions by telephone, to make various other changes to the embalmers, funeral directors, and crematory licensing laws, and to make an appropriation.
32-0
Gongwer Coverage

HB 263 **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harborer of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.
32-0
Gongwer Coverage

HB 312 **POLITICAL SUBDIVISION SPENDING** (Schuring, K., Greenspan, D.) To regulate the use of credit cards and debit cards by political subdivisions, to modify the duties and powers of the Auditor of State, to specify that electronic submission of a public record request entitles the requestor to damages if the public office fails to comply with the Public Records Act, to make changes to

the law governing financial planning and supervision commissions, and to authorize a property tax abatement for certain property subject to a submerged land lease and held by a municipal corporation.
32-0 (Earlier REPORTED-SUBSTITUTE (No testimony)
Gongwer Coverage

HB 336 **LICENSE FEES** (**Barnes, J.**, **Greenspan, D.**) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative.
32-0
Gongwer Coverage

HB 347 **ROAD NAMING** (**Kelly, B.**, **Dever, J.**) To designate multiple memorial highways.
32-0 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

SB 119 **OPIOID MEDICATIONS** (**Hackett, B.**, **Hottinger, J.**) Regarding naltrexone and medication-assisted treatment.
32-0
Gongwer Coverage

SB 229 **CONTROLLED SUBSTANCES** (**Eklund, J.**) To modify the laws pertaining to regulation of controlled substances and to make other changes in the laws administered by the State Board of Pharmacy.
32-0
Gongwer Coverage

SB 255 **OCCUPATIONAL LICENSING** (**McColley, R.**) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations.
24-8 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

SB 273 **RATING AGENCIES** (Hackett, B.) To enact for the Revised Code a definition of the term "rating agency."
32-0
Gongwer Coverage

SB 293 **ADMINISTRATIVE REGULATIONS** (Peterson, B., McColley, R.) To require agencies to reduce the number of regulatory restrictions.
23-9 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

SCR 21 **APPALACHIAN STORAGE HUB** (Balderson, T.) To urge the Congress of the United States to enact various bills advancing the development of an Appalachian storage hub.
31-1 (Skindell)
Gongwer Coverage

SCR 23 **FEDERALISM** (Obhof, L., Peterson, B.) To reassert the principles of federalism found throughout the Constitution of the United States of America and embodied in the Tenth Amendment, to notify Congress to limit and end certain mandates, and to insist that federal legislation contravening the Tenth Amendment be prohibited or repealed.
25-7
Gongwer Coverage

INFORMALLY PASSED

SB 86 **DAY DESIGNATION** (Hackett, B.) To designate multiple memorial highways and bridges, to create multiple nonstandard license plates, to create multiple special designations, and to designate John Glenn's childhood home as a state historic site.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 66 **CRIMINAL LAWS** (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including the promotion of effective rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility

criteria and procedures for granting pre-trial diversion and intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation; to extend the State Highway Patrol's authority to enforce criminal laws to also apply to the Northeast Ohio Correctional Center; to modify the penalty for an employer's failure to remit state income taxes withheld from an employee; and to authorize the conveyance of state-owned real estate.
29-0
Gongwer Coverage

SB 127 **WASTE COLLECTION VEHICLES** (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.
29-0
Gongwer Coverage

SB 135 **VOTING EQUIPMENT** (LaRose, F.) To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program.
31-1 (Jordan)
Gongwer Coverage

SB 216 **SCHOOL REGULATIONS** (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs, to add the territory of Summit County to the Stark State College District, and to prescribe procedures for appointing the board of trustees of the combined technical college district.
28-1 (Brown)
Gongwer Coverage

SB 220 **CYBERSECURITY** (Hackett, B., Bacon, K.) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program, to allow transactions recorded by blockchain technology under the Uniform Electronic Transactions Act, and to alter the definition of "key employee" under the Casino Gaming Law.
29-0

Gongwer Coverage

SB 221 **AGENCY RULEMAKING** (Uecker, J.) To reform agency rule-making and legislative review thereof.
23-6
Gongwer Coverage

SB 239 **REGIONAL GOVERNMENT COUNCILS** (Dolan, M.) To modify the law concerning regional councils of governments to clarify that a municipal corporation eligible to designate a tourism development district may designate more than one district, to specify that the American Law Institute's approved "Restatement of the Law, Liability Insurance" does not constitute the public policy of Ohio, to designate a portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial Highway," to designate a portion of Interstate Route 270 in Franklin County as the "Officers Anthony Morelli and Eric Joering Memorial Highway," and to designate the portion of U.S. Route 24 in Henry County as the "Henry County Veterans Highway."
29-0
Gongwer Coverage

SB 299 **WATER IMPROVEMENTS** (Gardner, R., O'Brien, S.) To credit additional amounts of the Local Government Fund to fund public safety services in areas that experienced a 30% or more decrease in the taxable value of certain power plants between 2016 and 2017, to phase out the payments over ten years, to increase the appropriation to the Local Government Fund; to support broadband development; to establish the OhioCorps Pilot Project; and to make appropriations, including appropriations for the protection and preservation of Lake Erie and the National Guard Scholarship Program.
29-0
Gongwer Coverage

CONFERENCE REPORT ADOPTED

SB 1 **DRUG OFFENSES** (LaRose, F.) To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marihuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of

permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances.
31-1 (Skindell)
Gongwer Coverage

COMMITTEE HEARINGS

Energy & Natural Resources

HB 114 **RENEWABLE ENERGY** (**Blessing, L.**) To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program. (**SCHEDULED BUT NOT HEARD (See separate story)**; 8th Hearing-Possible amendments & vote)

SB 51 **LAKE ERIE** (**Skindell, M.**, **Eklund, J.**) To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. (**REPORTED-AMENDED (No testimony)**; 4th Hearing-All testimony-Possible vote)

Before reporting the measure, the committee adopted an amendment from **Sen. Michael Skindell** (D-Lakewood). The senator said his fellow lead cosponsor, **Sen. John Eklund** (R-Chardon), has also signed off on the change, which ensures that if state property lies within the district, the required assessment will not be forced upon the state.

Government Oversight & Reform

HB 18 **SPECIAL ELECTIONS** (**Pelanda, D.**, **Retherford, W.**) To eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances. (**REPORTED-SUBSTITUTE**; 2nd Hearing-All testimony-Possible amendments & vote)

A substitute version offered by chairman **Sen. Bill Coley** (R-Liberty Twp.) rolls another measure (**SB 252**) into the bill that allows local elected officials to serve on the board of a convention and visitors' bureau.

In written proponent testimony, **Secretary of State Jon Husted** said the original measure will save taxpayer dollars. He noted that a special congressional election in 2016 with just one candidate costed $340,000.

HB 312 **POLITICAL SUBDIVISION SPENDING** (**Schuring, K.**, **Greenspan, D.**) Regarding use of credit cards and debit cards by political subdivisions. (**REPORTED-SUBSTITUTE (No testimony)**; 4th Hearing-All testimony-Possible amendments & vote)

A substitute version of the bill offered by **Sen. Matt Huffman** (R-Lima) largely cleans up language in the bill and also continues a property tax abatement for the City of Lorain, Sen. Coley explained.

HB 34 **PUBLIC NOTICES** (Hambley, S., Ryan, S.) To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. (**REPORTED-SUBSTITUTE (No testimony)**; 4th Hearing-All testimony-Possible amendments & vote)

Sen. Huffman offered an amendment accepted without objection to remove some sections pertaining to when electronic notices would not be allowed and to allow a recently elected public official to take public records training prior to taking office.

Another change allows a county prosecutor's office to represent port authorities, planning commissions and regional airport, Sen. Coley explained.

SB 202 **OFFENDER RE-ENTRY** (Bacon, K., O'Brien, S.) To require the Department of Rehabilitation and Correction to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Law. (**CONTINUED (See separate story)**; 3rd Hearing-Proponent)

SB 255 **OCCUPATIONAL LICENSING** (McColley, R.) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations. (**REPORTED-SUBSTITUTE**; 4th Hearing-All testimony-Possible amendments & vote)

A substitute version of the bill offered by **Sen. Joe Uecker** (R-Loveland) makes several changes, including adding factors to the list used in determining whether an occupational licensing board has demonstrated a public need. (**Comp doc**)

It also provides that occupational regulations that are created by adopting national standards used in at least 45 states are deemed to be narrowly tailored and the least restrictive.

In written opponent testimony, Jarrod Clabaugh, executive director of the Ohio Society of Association Executives, called for lawmakers to seek additional input on the bill.

John Graham, president and CEO of the Center for Association Leadership, called for the creation of a task force.

"We suggest that instead the legislature establish a task force to consider the problem of excessive occupational licensing and to develop ways to address that problem without weakening the protections to the public offered by governmental recognition of private certification programs," he wrote.

Subscribers Note: For full testimony see the **committee's website** under June 26.

Finance

HB 123 **LENDING LAWS** (**Koehler, K.**, **Ashford, M.**) To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (**CONTINUED (See separate story)**; 5th Hearing-All testimony-Possible vote)

Transportation, Commerce & Workforce

HB 347 **ROAD NAMING** (**Kelly, B.**, **Dever, J.**) To designate a portion of I-71 in Hamilton County as the "Sonny L. Kim Memorial Highway." (**REPORTED-SUBSTITUTE (No testimony)**; 3rd Hearing-All testimony-Possible amendments & vote)

Chairman **Sen. Frank LaRose** (R-Hudson) said the substitute version allows the legislation for to be used as a vehicle for the naming of multiple memorial stretches of highway honoring people killed in the line of duty.

SB 293 **ADMINISTRATIVE REGULATIONS** (**Peterson, B.**, **McColley, R.**) To require agencies to reduce the number of regulatory restrictions. (**REPORTED-SUBSTITUTE**); 4th Hearing-All testimony-Possible amendments & vote)

The committee accepted a substitute offered by **Sen. Rob McColley**, (R-Napoleon), who said the updated measure would apply the mandate to cut regulations by 30% statewide "at more of a macro level than the micro level."

Sen. McColley said his version would require every head of a cabinet-level department and every statewide elected official to inventory all regulations associated with their departments, as well as the commissions or agencies under them, and apply the 30% reduction "in the aggregate." He said the change was needed because some individual agencies or commissions might not have room to cut the percentage of regulations required by the original legislation.

"There are many state agencies that are already running pretty lean and already have very few rules," he said.

The substitute version also would give the Joint Committee on Agency Rule Review the authority to approve or deny the cuts, he said.

Sen. Matt Dolan (R-Chagrin Falls) said he agrees with the goal but has concerns the legislature may be ceding two much authority under the proposal.

"We're asking (agencies) to get rid of regulations that are contrary to legislative intent," he said. "I would rather be the one to dictate what legislative intent is."

Sen. McColley said he thinks the substitute bill "actually strengthened the authority of JCARR," and therefore, the legislature.

The panel reported the bill along party lines after accepting the substitute version.

Before accepting Sen. McColley's changes, the committee tabled a substitute bill offered by **Sen. Charleta B. Tavares** (D-Columbus) that she said would remove the requirement that regulations be cut by 30% across the board in the state. Her version instead would have instead required state agencies to cut regulatory restrictions until a reduction "deemed sufficient by the state agency in consultation with (JCARR) has been achieved," she said. She said the substitute version also would have prohibited agencies from removing regulations required by federal law, among other changes.

"What we're trying to do is enlist both JCARR and the agencies in identifying those regulations or statutes that should be removed ... so that we can make informed decisions," she said.

Ahead of the adoption of the substitute legislation, Greg Lawson, research fellow with the Buckeye Institute, said the state "desperately needs" the effort to cut unneeded regulations to boost the economy. He said the state's licensing requirements are more restrictive than most states.

"Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways," he said. "But the same cannot be said with respect to auctioneers, travel guides, and hairdressers-all currently subject to Ohio's byzantine and overly restrictive licensing requirements."

Mr. Lawson said efforts to rein in regulations could lead to employers hiring more workers and employees earning more.

"Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses," he said. "Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates.

SB 308 **ELEVATOR LAW** (**Uecker, J.**, **Yuko, K.**) To revise the Elevator Law. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Joe Uecker (R-Loveland) said in sponsor testimony the measure, which has companion legislation (**HB 236**) in the House, would "modernize" the state's elevator laws. "Taking elevators is a regular occurrence in our day to day lives and malfunctions can cause serious injuries to riders. SB308 seeks to codify industry standards and set licensure qualifications to help ensure the safety of both elevator riders and workers," he said.

He said the measure would update the state's definition for elevators and create an Elevator Safety Review Board, among other changes.

Sen. Kenny Yuko (D-Richmond Hts.), the measure's other primary sponsor, said the bill also establishes new licensing and insurance requirements for elevator contractors, inspectors and mechanics.

"Our goal is to ensure the safety for the public and for those who work and install elevators. The best way for us to ensure a high level of safety is to ensure that all elevators are installed and maintained by licensed professionals."

HCR 10 **ANTI-SEMITISM** (Thompson, A., Greenspan, D.) To condemn the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. (**REPORTED-AMENDED**; 5th Hearing-All testimony-Possible amendments & vote)

Chairman LaRose amended the bill with language condemning white nationalists and other hate groups.

Sen. Tavares offered a substitute resolution, which would have condemned attacks and discrimination against all minority groups by hate groups including white nationalists and neo-Nazis, and remove references to the boycott movement.

"We can't say people can't talk," she said. "That goes against who we are as a nation and a state."

The panel tabled her proposal, and Sen. Tavares subsequently cast the lone vote against reporting the measure.

Prior to the report, Connie Hammond, a member of United Methodists for Kairos Response and the Free Speech Coalition of Ohio, said the legislation unfairly conflates the Boycott, Divestment, Sanctions movement with anti-Semitism and could be seen as a form of censorship.

"The International BDS movement is not anti-Semitic," she said. "The call to BDS issued by 170 Palestinian civil society organizations asked the international community to stand for freedom, equality and justice."

Sen. LaRose said he rejects the idea that the measure constituted any kind of censorship. "There's nothing in here that restricts speech," he said.

Education

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. (**REPORTED-AMENDED (See separate story)**; 4th Hearing-All testimony-Possible amendments & vote)

SB 34 **ACADEMIC YEAR** (Manning, G.) To generally require public and chartered nonpublic schools to open for instruction after Labor Day. **(Scheduled but not heard)**; 7th Hearing-All testimony-Possible vote)

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Click the after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Thursday, June 28

Legislative Committees

Joint Medicaid Oversight Committee (Committee Record) **(Chr. Huffman, S., 466-7584), Rm. 313, 9 a.m.**

- **Behavioral Health Redesign Update from Barbara Sears, Director, Ohio Department of Medicaid and Emily Higgins, Chair, OAHP Behavioral Health Subcommittee**
- **PBM Report from Barbara Sears, Director, Ohio Department of Medicaid**

Joint Ohio College Affordability Committee (Chr. Wilson, S., 466-9739), Senate Finance Hearing Rm., 10 a.m.

- **Overview of strategies for preserving and improving the affordability of a college education in Ohio by the Ohio Association of Community Colleges and the Inter-University Council of Ohio**

Joint Education Oversight Committee (Committee Record) **(Chr. Manning, G., 466-8150), North Hearing Rm., 11:30 a.m.**

- **Presentations by Connie Shriver (Coordinator of Career & Academic Readiness Education at the Mid-East Career and Technology Centers), Mary Murphy (Manager of Adult Success Initiatives at Lorain Community College), and Greg Harp (Vice President of Graduation Alliance) on Adult Graduation Pathways**
- **Presentations by the Ohio Department of Education and the Ohio Department of Job and Family Services on Early Childhood Programs**
- **Update on progress of other research projects (tentative)**

Agency Calendar

Civil Rights Commission, Lobby Mtg. Rm., 1st Fl., 30 E. Broad St., Columbus, 9:30 a.m.

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

Business Gateway Steering Committee, 30 East Broad Street, Room 2925, Columbus, 1 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Rep. Brian Hill (R-Zanesville) golf outing fundraiser, Eaglesticks Golf Club, 2655 Maysville Pike, Zanesville, 9:30 a.m., (9:30 am registration; 10:30 am shotgun start; 4:30 pm barbeque. Brian D. Hill for State Representative)

Rep. Stephanie Howse (D-Cleveland) & Rep. Janine Boyd (D-Cleveland Hts.) fundraiser, Lake Affect Studios, 1615 East 25th St., Cleveland, 5:30 p.m., ($500, $150, $75, $35 to Friends of Stephanie Howse, Friends of Janine Boyd)

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Volume #87, Report #124 -- Wednesday, June 27, 2018

Lake Erie, Voting Machine Funding Among Bills Headed To Governor

A busy day of lawmaking Wednesday saw a wide variety of bills sent to Gov. John Kasich's desk, including long-sought funding for new voting equipment and money to fight harmful algal blooms in Lake Erie.

In total, the two chambers sent 19 bills to the governor, including a pair dealing with oversight for charter schools. (*See separate story*)

The voting machine measure (SB 135) appropriates $114.5 million to buy new equipment. The House had previously passed it, and the Senate voted 31-1 in to concur with a House amendment that updated the fiscal year in the language.

"We've had machines that in many cases are 15 years old," sponsor Sen. Frank LaRose (R-Hudson) said. "Our county boards of elections and folks all throughout Ohio are very excited about the prospect that maybe sometime this winter or next spring there may be a truck showing up with new voting machines."

"It's time that we got this done," Sen. LaRose, the Republican nominee for secretary of state, continued. "This is something we've been talking about for a while."

Rep. Kathleen Clyde (D-Kent), the Democratic nominee for secretary of state, touted the passage in a statement.

"Ohio has been in desperate need of voting system upgrades to meet the elections cybersecurity challenges we face today and to modernize our aging machinery," she said. "I am happy to see our boards of elections finally getting the resources they deserve after years of state budget cuts to local government funds. I was happy to support this bipartisan bill and will continue to ensure our counties are prepared for every elections challenge."

The Lake Erie measure (SB 299) began as a way to identify and financially support projects to combat harmful algal blooms. Among other provisions, it appropriates $3.5 million in General Revenue Fund dollars to the Department of Agriculture for soil and water conservation districts and $20 million to the Soil and Water Phosphorus Program.

The measure became a vehicle for spending-related amendments in the House Finance Committee Tuesday, but it collected only a few changes, making it more of a "modest decorated wreath" than a true "Christmas tree bill," as explained Wednesday by sponsoring Sen. Randy Gardner (R-Bowling Green).

Those amendments included $7.1 million in disaster funding for 18 counties that sustained widespread flooding earlier this year. Other House-added items include $1 million to boost broadband expansion efforts and $1.5 million for the National Guard Scholarship. (See Gongwer Ohio Report, June 26, 2018)

It cleared the lower chamber in a unanimous vote after picking up an LSC technical amendment on the floor. The Senate then followed suit, approving the item 29-0.

Rep. Steven Ardnt (R-Port Clinton), who sponsored companion legislation in the House, said the measure will go a long way toward reducing algal blooms in Lake Erie.

"This particular bill is really something that is extremely critical," he said.

Sen. Gardner called the bill a "classic example" of legislation in action given its bipartisan nature.

Both chambers accepted a conference report on a measure (SB 1[redacted]) to toughen penalties for fentanyl traffickers.

The House approved the conference committee report 59-10, with Rep. Nathan Manning (R-N. Ridgeville) calling it a "very small change" in that it shifts the burden of proof to the prosecution to show a defendant knew of a fentanyl-related compound in his or her possession.

In the Senate, the vote was 31-1, with Sen. Michael Skindell (D-Lakewood) the only member opposed.

Sen. Skindell said the proposal doesn't just target traffickers, but also affects drug users. He also voiced concerns with how the state considers an aggregate amount of fentanyl, even if a little bit of fentanyl is mixed with a much greater amount of another drug.

"It not only throws the drug traffickers in jail, it throws the small users in jail," he said.

Sen. LaRose, the measure's sponsor, said the user would need to have reason to know it contained fentanyl to be charged.

"We did what we could to make sure that we truly are ensnaring the traffickers and not the addicts," he said. "We rely on reasonable prosecutors. We rely on reasonable judges and juries to do the work that they do."

A proposal initially designed to eliminate the need for a special election when only one candidate is on the ballot (HB 18[redacted]) cleared the Senate unanimously but faced more opposition later in the evening when the House voted 67-22 to concur.

The dissent hinged on a provision added earlier in the day that allows some local elected officials to serve on the board of trustees of a convention and visitors' bureau. (*See committee listing*)

Rep. John Becker (R-Union Twp.) said the measure goes against an advisory opinion issued by the attorney general's office.

"The reason for that conflict is quite obvious," he said.

Rep. Dorothy Pelanda (R-Marysville) said if a conflict does exist, the public official can abstain from voting on a matter.

The bill also received opposition from Rep. Tom Brinkman (R-Cincinnati) who said in light of recent event, lawmakers should do all they can to avoid any hint of impropriety.

A measure (SB 66[illegible]) to provide judges with more discretion in criminal sentencing also cleared both chambers.

Rep. Nathan Manning (R-N. Ridgeville), who ushered the bill through the House Criminal Justice Committee, called the measure a smart on crime bill. He also touted several of the bill's provisions, including one that allows for expanded record sealing.

"This is something that will get people back to work," he said.

Before voting 84-2 to move the bill back to the upper chamber, an amendment offered by Rep. Bill Seitz (R-Cincinnati) was accepted to make it clear that the number of felonies that can be sealed is five with an unlimited number of misdemeanors.

Rep. Jay Edwards (R-Nelsonville) and Rep. Tim Schaffer (R-Lancaster) cast the lone "no" votes.

The Senate voted 29-0 to approve the issue, with Sen. John Eklund (R-Chardon) and Sen. Charleta B. Tavares (D-Columbus) both urging support.

Sen. Eklund specifically pointed out a change that prevents those who have more than five felonies from pursuing the sealing of records. Although it runs somewhat contrary to the Senate's effort, Sen. Eklund said the change such a person would pursue that round "is slim."

"Notwithstanding that, I certainly think the amendments are salutary...and we've come to something that will make Ohio a more just place to live," he said.

Sen. Tavares too said she believes "the integrity and the strength of the legislation remains. We are trying to do what's fair and what's right and we really believe rehabilitation should be taken seriously."

Legislation (HB 318) initially designed to deal with qualification for school resource officers picked up several changes during its journey through the legislature, including having a measure (SB 246) prohibiting expulsion and suspension of young students rolled into it while in the upper chamber.

"Suspending a six-year-old child does absolutely nothing to help them," Rep. Sarah LaTourette (R-Chagrin Falls).

It cleared the lower chamber in a 69-20 vote, with Rep. Ron Hood (R-Ashville) speaking in opposition.

"This did not get vetted in committee the way it properly needed," he said.

A bill to add prongs to the Joint Committee on Agency Rule Review process cleared the House in a 73-19 vote after Rep. Dan Ramos (R-Lorain) raised concerns that the changes could make the body more partisan.

"It is not a committee where partisanship has come in to play," he said.

Other items sent to the governor included legislation to:

- Allow restaurants to let patrons to have dogs on outdoor patios (HB 263).
- Regulate credit and debit card use by political subdivisions and make other changes to how finances are handled by local governments (HB 312).
- Create a six-month pilot program to reduce driver's license reinstatement fees (HB 336).
- Designate roads after first responders and military personnel killed in the line of duty (HB 347).
- Waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans (SB 81).
- Require drivers to move over when passing waste collection vehicles (SB 127).
- Provide a legal safe harbor for companies that enact cybersecurity protections (SB 220).
- Boost the Joint Committee on Agency Rule Review's authority to clamp down on informal rulemaking among executive agencies (SB 221).
- Create more transparency in regional councils of government (SB 239).

- Waive the concealed carry license fee for active members of the armed services and retired and honorably discharged veterans (SB 81).

- Create an enhanced penalty for distracted driving (HB 95[redacted]).

- Overhaul the law relating to embalmers, crematory operators and cemeteries (HB 168[redacted]).

Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House

Legislation cited as "protecting" the religious beliefs of pastors and students, and a bill to limit charges from pharmacy benefit managers were among the slew of proposals receiving the House's stamp of approval during a marathon session Wednesday.

Also among the 31 measures passed in the first part of the session were a number of Senate bills that now advance to the desk of Gov. John Kasich thanks to Senate concurrence votes later in the day. The chamber also approved a conference committee report on a measure to boost penalties for drug trafficking and possession. (*See separate story*)

Regarding the religion-related legislation, both measures received substantial pushback from Democrats who contend they will open the door for discrimination.

The so-called Pastor Protection Act (HB 36[redacted]) shields faith leaders, societies and others from civil repercussions should they refuse to solemnize marriage outside their beliefs. The plan picked up a floor amendment from Rep. Bill Seitz (R-Cincinnati) providing that in the event of a conflict between the bill and current public accommodations law, the legislation will take precedent.

Rep. Dan Ramos (D-Lorain) made a motion to lay the amendment on the table, which was turned back by Republicans. Rep. Janine Boyd (D-Cleveland Hts.) also moved to amend the item, but her motion was ruled out of order following the adoption of Rep. Seitz's change.

Sponsor Rep. Nino Vitale (R-Urbana) reiterated his belief the legislation does not target LGBTQ citizens. He painted it as an attempt to relieve the "tension" between contrasting beliefs and assure faith leaders existing protections under the Constitution will remain.

"This is not a sword," Rep. Vitale said. "This is intended to be a shield and protect everyone's rights."

But Rep. Boyd argued the legislation's scope is too broad in that it does not limit its provisions to religious groups or pastors.

"It is in essence saying that proprietors of property or services that rent to the public at large can turn away members of the LGBTQ community," she said, before the chamber endorsed the measure 59-29.

Similarly, the chamber voted 62-20 for a plan (HB 428) from Rep. Sarah LaTourette (R-Chagrin Falls) and Rep. Tim Ginter (R-Salem) that states students should be permitted to conduct religious expression and activities in schools in the same manner students may conduct secular activity or expression.

Rep. Kent Smith (D-Euclid) moved to amend the bill with language he said would label head coverings as permitted religious attire.

Rep. Ginter, however, voiced reservations, saying the change would open up "a pathway that is not the intention of this bill. There is no specificity in this bill toward any religion and that is purposeful." The GOP-dominated chamber as a whole agreed, turning away the proposed tweak 56-32.

Several Democrats spoke against the bill, including Rep. Ramos, who said the legislation is so broad it would permit shirts with messaging stating LGBTQ youth will go to hell or that Jesus is not real, or targeting specific faiths. To that, Rep. Ginter replied the school still has the authority to ban obscene or distracting clothing or activities.

Among other bills, the pharmacy legislation (HB 479) - from Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) - requires patients to be informed of affordable prescription options. And it limits PBMs, health plans or other administrators to charging no more than what an individual would pay for a drug were it purchased without coverage.

"For too long, PBMs have used predatory practices to target consumers and independent pharmacies," Rep. Lipps said. "I am proud Ohio is taking a lead role to end these deceiving practices, while improving transparency and lowering out-of-pocket drug costs."

Added Rep. West: "Today is a happy day here in Ohio because lower prescription drug prices are on their way."

Several pieces of legislation pertained to laws related to sexual activity, including proposals prohibiting sexting by persons under 19 years of age (HB 355) and the nonconsensual dissemination of private sexual images (HB 497) or "revenge porn." Those measures passed unanimously - 85-0 and 81-0 respectively.

So too did legislation (HB 92) requiring an offender who knowingly commits public indecency to be viewed by a minor for the purpose of sexual gratification to register as a Tier 1 sex offender if ordered by a judge (80-0).

Legislation (HB 511) establishing 18 as the age at which a person can marry was also approved with wide support (78-0). The proposal provides an exception for a 17-year-old

with the consent of a juvenile court if the other spouse-to-be is not more than four years older.

"We do not allow minors to vote, to buy cigarettes or alcohol, to rent cars or apartments or to enter into other contracts yet we allow them to (marry) - one of the most important and impactful decisions of their young lives," said Rep. Laura Lanese (R-Grove City), lead cosponsor along with Rep. John Rogers (D-Mentor-on-the-Lake).

Democrats also attempted to amend a plan (HB 502) from Rep. Marlene Anielski (R-Walton Hills) that requires educators to take in-service training on youth suicide prevention every two years. Rep. Catherine Ingram (D-Cincinnati) sought to expand the bill to cover charter schools but the amendment was tabled 44-39 before the bill advanced 82-0.

The chamber also approved legislation:

- Granting civil immunity to medical providers and emergency medical technicians operating after a disaster (HB 7).
- Prohibiting certain terms from appearing in health care contracts between vision care providers and a contracting entity and establishing new disclosure requirements (HB 156).
- Establishing a regional kinship care navigator program (HB 126).
- Licensing home inspectors via the proposed Home Inspector Board (HB 211).
- Designating the month of April as "Respect Your Date Month" and requiring higher education institutions to adopt a policy regarding dating and domestic violence (HB 240). The chamber approved an emergency clause 75-6.
- Including search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal (HB 349).
- Prohibiting consumer credit reporting agencies from charging a fee to freeze a consumer's credit report or to remove or temporarily lift a freeze (HB 386).
- Exempting police body camera and dashboard footage from public record laws under certain circumstances, such as if it depicts the identity of a child or the victim of a sex crime (HB 425).
- Authorizing a nonrefundable insurance company tax credit for contributing capital for transformational mixed use development construction (HB 469).
- Requiring the Department of Agriculture to regulate multi-parcel auctions (HB 480).

- Enacting a myriad of township changes including: increasing the obligations a board of township trustees may authorize its officers to incur, permitting a township to require reimbursement of emergency services levy revenue foregone because of the creation of a tax increment financing incentive district, and more (HB 500).

- Requiring the development and adoption of a new framework for teacher and administrator evaluations (HB 540).

- Permitting county prosecutors to enter into contract with regional airport authorities, port authorities or a regional planning commission as a legal adviser (HB 543).

- Requiring the Public Employees Retirement System Board to grant a full year of service credit to qualified members employed as nonteaching school employees of a county board of development disabilities (HB 572).

- Revising the probate process through various changes including disqualifying a person convicted of involuntary manslaughter from benefiting from the victim's death (HB 595).

Senate Passes Measures Focused On Reducing Regulations

A pair of legislative efforts to rein in regulations cleared the Senate Wednesday, with Republicans saying the proposals would make life easier for businesses.

Democrats said the two measures were arbitrary efforts to reduce agency rules that don't get at the issue of targeting unneeded regulations and could reduce important oversight.

One of the items (SB 293) cleared the Senate Transportation, Commerce and Workforce Committee earlier Wednesday after the panel replaced it with a substitute version to apply the regulation-cutting mandate more broadly across state departments, rather than to individual agencies. (*See committee listing*)

As a result of the changes, the legislation would require departments overall to cut regulations by 30%, sponsor Sen. Bob Peterson (R-Sabina) said. It would also create a website where individuals and businesses can report burdensome regulations to the Joint Committee on Agency Rule Review.

"We need to know how many restrictions we have, we need to systematically review them, and we need to revisit the rules that are unnecessary," Sen. Peterson said.

Majority Republicans tabled an amendment from Sen. Charleta B. Tavares (D-Columbus) that would have eliminated the 30% reduction requirement.

"This amendment calls for them to reduce restrictions without placing the arbitrary requirement," she said. "This amendment calls on state agencies to inventory what regulations exist."

Sen. Peterson said the amendment was unnecessary because JCARR can already grant departments exemptions for certain rules.

Lawmakers can also work to reduce regulations by avoiding situations where legislation leaves the details to be sorted out by agencies, said Sen. Lou Terhar (R-Cincinnati).

"The real issue here is how many things do we and our predecessors punt on and let it go to an agency rather than making a decision," he said.

Sometimes that's appropriate, said Sen. John Eklund (R-Chardon).

"Sometimes it's an acknowledgement or a willingness to acknowledge that there are experts in the administration of the government" with more expertise than lawmakers, he said.

The measure passed along party lines.

The other effort targeting regulations (SB 255) focused on occupational licensing. Sponsor Sen. Rob McColley (R-Napoleon) said it would create a process to review the state's occupational licensing requirements every five years.

"Frankly it's costing Ohioans the ability to earn a living and it's costing Ohioans the opportunity to contribute to our economy," he said of excessive licensing requirements.

Sen. Joe Schiavoni (D-Boardman) said lawmakers should consider issues with occupational licenses and fix them rather than creating a complicated process to routinely review the need for them.

Senate President Larry Obhof (R-Medina) said he thought the government has gotten "too big, too unwieldy."

"Too much of our authority has been usurped or given away over the years by legislators who thought it was easier to punt rulemaking authority," he said.

The measure passed 24-8.

The chamber unanimously passed a measure (SB 119), known as Daniel's Law, intended to ensure patients using naltrexone, a medication-assisted treatment also known as Vivitrol, can get an emergency dose from a pharmacy in certain emergency situations.

"When in a pinch, patients will have access to every pharmacy in the state of Ohio to act as a trampoline back into the system when the system fails," sponsor Sen. Bob Hackett (R-London) said.

Also advancing in the chamber were measures to:

- Provide a definition for an insurance rating agency (SB 273).
- Modify controlled substances laws with the Board of Pharmacy, including placing the list of controlled substances in rule rather than statute (SB 229).
- Urge Congress to support the creation of the Appalachian storage hub (SCR 21).
- Call on Congress to end certain mandates and emphasize the importance of federalism and the 10th Amendment (SCR 23), which passed 25-7.

Bills Amended To Enhance Online School Oversight Head To Governor

The House and Senate on Wednesday approved separate measures that were amended this week to include multiple e-school reforms and sent them to Gov. John Kasich for his signature.

While Rep. Keith Faber (R-Celina) and Rep. Bill Reineke (R-Tiffin) introduced legislation (HB 707) on the topic last week, lawmakers quickly sought alternative pathways to get some of its provisions passed sooner rather than later. The actions by the chambers achieve a goal set Speaker Ryan Smith (R-Bidwell) of pushing forward with legislation aimed at improving the state's online schools ahead of summer recess. (See Gongwer Ohio Report, June 25, 2018)

Sen. Peggy Lehner (R-Kettering), chairwoman of the Senate Education Committee said lawmakers from both chambers came to an agreement ahead of Wednesday's session that certain portions from the measure would be split among a bill (HB 87) under consideration in the Senate and another (SB 216) under consideration in the House.

"You really have to look at these two bills together," she said.

The original intent of HB 87 was to clarify that funding must be returned to local school districts when an audit of a charter school leads to a finding for recovery, while SB216 is an overhaul measure that makes dozens of changes to the state's K-12 education system.

The upper chamber passed HB 87 by a vote of 30-2 with Sen. Joe Schiavoni (D-Boardman) and Sen. Michael Skindell (D-Lakewood) voting in opposition. The House concurred in Senate amendments by a vote of 70-22.

The Senate Education Committee earlier in the day amended HB 87 to create a "safe harbor" for schools that grew by 20% from taking in former Electronic Classroom of Tomorrow students from certain accountability measures, including closure. The House Education & Career Readiness Committee on Tuesday accepted a similar amendment to SB 216 that set the threshold at for the threshold for the safe harbor at 10%. (See Gongwer Ohio Report, June 26, 2018)

Sen. Schiavoni said he cast his vote against the measure because the safe harbor provision could shield poorly performing schools from accountability.

"My concern is that by putting an amendment like this in the bill we might be creating another ECOT," he said.

Sen. Lehner said another amendment passed in the Senate committee clarifies that the safe harbor will not protect schools that would have faced closure before considering the performance of students taken in from the now-shuttered e-school.

"We are not excusing bad performance of any school," she said.

Sen. Lehner said another Senate amendment to HB 87 dealing with e-schools would require the superintendent of public instruction to set guidelines for activity-tracking software to be used by online charter schools.

Another amendment "would remove a significant conflict of interest" regarding the state auditor's office and payments by online schools, she said.

"Currently, amounts payable may be reduced according to policies determined both by the superintendent of public instruction and the auditor of state," she said. "This amendment will change the statute to require the (superintendent) to establish these policies in consultation with the (auditor) instead, so that the auditor is not put in a position to establish policies they may later audit."

Sen. Lehner said other amendments adopted by her committee that are not focused on e-schools would:

- Give school districts an additional year to put a substitute levy on the ballot.
- Clarify that only a superintendent or school board president can sign contracts and other employment documents related to the district's treasurer or his or her family members.
- Allow school districts and other public employers to "collectively contract for health clinic services."

The committee also adopted an amendment Sen. Randy Gardner (R-Bowling Green) said would prohibit the state from requiring local school boards to submit five-year

financial forecast before Nov. 30. The provision mirrors one added to SB 216 in committee Tuesday.

The House passed SB 216 by a vote of 60-32 after accepting two amendments. The Senate concurred in House amendments by a vote of 28-1 with Sen. Edna Brown (D-Toledo) in opposition.

Rep. Andy Brenner's (R-Powell) amendment required a study of school takeovers be sent to the Joint Education Oversight Committee for further review after its completion. The House accepted the amendment by a vote of 62-28.

A floor amendment offered by Rep. Jeff Rezabek (R-Clayton) and accepted by a vote of 61-28 stripped a provision from the law that would have revised the state's standard for what an "excessively absent" student is by excluding excused absences. Under existing law, a student is "excessively absent" when they miss 38 or more hours in a month or 65 or more hours in a year whether the absences were excused or not.

The House Education & Career Readiness Committee on Tuesday reported SB 216 along party lines after accepting several amendments, including one with multiple provisions aimed at e-school reform. The amendment was inspired by HB 707, which in turn took cues from recommendations offered by Auditor Dave Yost.

The amendment would require the superintendent of public instruction to craft recommended definitions for the state to adopt regarding e-school enrollment and participation and create a committee to study the potential of student-performance, among other provisions.

Sen. Lehner said she views the creation of the committee as one of the most important provisions in the two pieces of legislation.

"The study committee is the most important part of that because that's going to (lead to) more substantive long-term reforms than some of the more minor (provisions)," she said.

Rep. Teresa Fedor (D-Toledo) said the online school provisions the committee added to SB 216 need more vetting, but were being rushed into law to provide "political cover" for Republicans in the wake of the closure of the ECOT. After ECOT shut its doors in January, Auditor Yost referred his office's audit of the school for potential prosecution. (See Gongwer Ohio Report, May 10, 2018)

"I'm sorry to say this bill has been hijacked," she said.

She was gaveled out of order by Speaker Smith when she likened ECOT's funding, which is the subject of clawback efforts by the state, to an ATM for Republican campaign committees.

The panel and later the full Senate rejected an amendment offered by Sen. Schiavoni that would have set additional guidelines for e-schools. He said the change would have

required an in-person parent teacher conference to be scheduled if a student doesn't log in for 10 days and the addition of disclaimers on e-school advertisements noting if they were paid for with public money and what grades the school had received from the state, among other changes.

"We have to have additional accountability and transparency," he said.

Sen. Lehner opposed the amendment but said she agreed with Sen. Schiavoni that the state's work on updating standards for online schools is not done.

The Senate also tabled an amendment offered by Sen. Schiavoni that would have extended eased graduation requirements put in place for the class of 2018 for the next two school years. The House Education & Career Readiness Committee rejected an amendment with the same effect offered by Rep. Tavia Galonski (D-Akron) Tuesday.

Before passing SB 216, the House tabled an amendment offered by Rep. Galonski that would have appointed a special investigator in the ECOT case.

Rep. Brenner said he viewed the amendment as premature because ECOT still has an appeal before the Ohio Supreme Court related to purported overpayments the State Board of Education voted to claw back from the school, leading to its closure.

Democrats later ripped majority Republicans for refusing to add additional accountability provisions to the bill, saying it gives a "free pass to Ohio's out-of-control charter schools" and elected officials.

"This is a politically motivated bill to give the same GOP politicians who used ECOT and charter school sponsors to bankroll their campaigns a free pass on taking responsibility for the mess they created," Rep. Galonski said.

Sen. Matt Huffman (R-Lima), SB 216's primary sponsor, said crafting and passing the substantial bill involved a lot of give and take among lawmakers and interested parties.

He listed the House's changes, saying he did not agree with all of them but that the bill retains the goal that superintendents had when they suggested the package to him several months ago - that is, eliminating unnecessary and burdensome regulations.

"This is a product of about 15 months-worth of work with a lot of good things in it," he said.

State Auditor Dave Yost issued a statement Wednesday evening welcoming passage of the measures.

"The legislation approved by the General Assembly today addresses some of the weaknesses my office has pointed out for years that limited the state's ability to demand full accountability from online schools and operators," he said. "While we were not

successful in gaining passage of all reforms we believe are needed, these changes will make a significant difference."

Senate Panel Delays Vote On Energy Standards, Wind Setback Bill

A Senate committee Wednesday held off on a potential vote on controversial legislation to lower the renewable and energy efficiency standards, with lead negotiators telling interested parties they are "very close" to a final product.

The closely-watched measure (HB 114[redacted]) was scheduled for its eighth hearing before the Senate Energy & Natural Resources and marked for possible amendments and a vote.

But the proposal was ultimately not heard, with Chairman Sen. Troy Balderson (R-Zanesville) and Sen. Bill Beagle (R-Tipp City) instead briefing stakeholders in attendance of their progress on the bill and promising "the bill's not dead."

"It's closer (to passing) than it's been for a while," Chairman Sen. Troy Balderson (R-Zanesville) said in an interview.

The measure began as a House effort to render the standards voluntary and expand the mercantile opt-out. That followed Gov. John Kasich's 2016 veto of a similar, but less far-reaching measure (HB554, 131st General Assembly).

Senators in May then accepted a substitute version that restored the mandatory nature of the standards, although it still lowers the renewable standards to 8.5% by 2022 instead of current law's 12.5% by 2026 and the efficiency standards to 17.2% by 2026 instead of the current 22.2% by 2027. It also loosens wind setback restrictions that advocates accused of stifling the industry - a prospect House leaders have expressed reluctant to accept in the past. (See Gongwer Ohio Report, May 16, 2018)

More changes are likely, as the lawmakers court support within their caucus and among stakeholders. Sen. Beagle said they're still sorting through feedback following the most recent changes - including those related to the mercantile opt-out, the wind setbacks and energy efficiency benchmarks.

"At this point, anytime you amend something everything's kind of tight so if we move a little bit here we need to understand what the ramifications are over there and that's just taking time," Sen. Beagle said. "We want to make sure we get this right. It's been an issue we've been talking about for a long time and it's been in the chamber a while. We'd rather take some time to make sure we get the best bill we can before we send it over to the House."

Sen. Balderson said talks continue with the Kasich administration over the renewable standards proposed by the current bill.

"The administration is aware of our number," he said. "While they are not satisfied with it, we continue to have positive discussions on a number of other areas we can all agree upon."

A Kasich spokesman declined to comment on the pending legislation.

At the same time, both said they haven't gone out of their way to keep their House counterparts in the loop on discussions. Although the legislation in its current form is likely to face a steeper climb in the lower chamber, the senators said their principal concern is mustering up enough support within their own caucus.

"We're really kind of focused on making sure we have enough votes in the Senate," Sen. Beagle said. "We're really focused on getting a product we can get out hopefully on a bipartisan basis and that's tough enough."

Added Sen. Balderson: "Once we have our numbers here that we need in the Senate, then we'll focus on the House. They're aware...so there's no reason for (Sen. Beagle) and I to be sitting down in front of them."

Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing

Nearly a year removed from a thrill ride breakdown at the Ohio State Fair that killed 18-year-old Tyler Jarrell and injured several others, the House took up legislation to tighten regulation of inspections overseen by the Department of Agriculture.

Sponsored by Rep. John Patterson (D-Jefferson) and Rep. Jim Hughes (R-Columbus), the measure would revise current safety inspection standards, define the qualifications for inspectors, and require owners to maintain current records for all their amusement rides.

Rep. Patterson told members of the House Agriculture & Rural Development Committee that the measure, while inspired by the tragedy, is about looking ahead "to better ensure the safety of Ohioans for years to come by revisiting current legislation to provide a more robust approach to ride safety and inspection."

The sponsors pointed out that while the rides have become more prevalent, diverse and complicated over the years, the number of Ohio inspectors has remained fairly constant.

Rep. Hughes said the bill focuses on ride inspections in two ways.

"First, it expands the Director of Agriculture's rule-making authority regarding amusement ride safety. Specifically, it requires a minimum number of inspectors be assigned to inspect a ride, ensuring that number is reasonable and adequate given the size, complexity, and nature of the ride," he said. "Second, it requires the Director to adopt the standards of the American Society for Testing and Materials, or any other equivalent standards, in whole. Current law does not require the Director to adopt these standards, neither in whole or part."

The measure also addresses the qualifications for newly hired inspectors, Rep. Hughes said. "The bill requires the Director, when employing a new Chief Inspector or an additional amusement ride inspector, to give preference to individuals who are registered professional engineers. If no registered professional engineer seeks employment as an inspector, the Director must give preference to individuals who have been issued a level one or higher inspector certification from the National Association of Amusement Ride Safety Officials."

Those restrictions would be forward-looking and not impact those currently employed as inspectors, he said.

The bill would retain the current law requirement that the ODA director provide necessary training for inspectors to administer and enforce the laws governing amusement ride safety. "Similarly, the bill still allows the director to appoint or contract other persons to perform inspections of amusement rides, provided that they meet the qualifications for inspectors and are not owners, or employees of any amusement ride subject to inspection," Rep. Hughes said.

The record-keeping mandates in the bill would apply to electronic manuals for each amusement ride that is inspected in Ohio, if available, and the ODA director may require the owner to also include "detailed written descriptions or photographs of all maintenance, repairs, and inspections in the record," Mr. Hughes said.

"Finally, HB631 prohibits ride owners from knowingly failing to keep a record or knowingly failing to make records available to the Department or ride inspector, and it imposes a fine of $100 to $500 for a violation of the prohibition. While current law requires an owner to keep records and make them available for inspection, it does not establish a specific penalty for failure to do so," he concluded.

Asked about the extent of the potential fines, Rep. Patterson said they could apply to every ride that's out of compliance or it could depend on the circumstances. He said the sponsors wanted to leave some discretion for ODA to develop more specific guidelines under the bill.

"We don't want the money," Rep. Hughes added. "We want them to be safe."

Rep. Kyle Koehler (R-Springfield) questioned whether the provisions would have prevented last year's failure of the Fire Ball ride.

"It definitely would have helped the situation, but what we're trying to do is prevent another occurrence of this in the future," Mr. Patterson said.

The sponsor told Rep. James Hoops (R-Napoleon) that the requirements would apply to all rides operated in the state, including those at county fairs and other events.

Chairman Rep. Brian Hill (R-Zanesville) raised the issue of funding for additional inspection duties and also noted that a review of the incident did not result in any punitive actions against state inspectors.

Rep. Jack Cera (D-Bellaire) said consideration must be given to ODA's budget if the bill is enacted.

Mr. Hughes said there have been communications with the agency regarding the proposals and further meetings with the agency are planned.

ODA spokesman Mark Bruce said the agency typically doesn't comment on pending legislation.

"The department has had discussions about possible ways to strengthen Ohio's already robust amusement ride safety program," he said in an email.

High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement

Organized labor was dealt a major blow Wednesday by the U.S. Supreme Court.

In a highly anticipated decision, the court in a 5-4 ruling held that non-union workers cannot be forced to pay fees to public sector unions.

Writing for the majority, Justice Samuel Alito found the requirement that non-union employees pay "agency fees" to the collective bargaining unit runs afoul of free speech protections.

"This procedure violates the First Amendment and cannot continue," Justice Alito wrote. "Neither an agency fee nor any other payment to the union may be deducted from a nonmember's wages, nor may any other attempt be made to collect such a payment, unless the employee affirmatively consents to pay. By agreeing to pay, nonmembers are waiving their First Amendment rights, and such a waiver cannot be presumed."

He was joined in his opinion by Chief Justice John Roberts, Justice Clarence Thomas, Justice Neil Gorsuch and Justice Anthony Kennedy, considered the swing vote on the court and who announced his retirement Wednesday.

The decision overturns a 1977 high court ruling that upheld the practice as constitutional.

"We recognize that the loss of payments from nonmembers may cause unions to experience unpleasant transition costs in the short term, and may require unions to make adjustments in order to attract and retain members. But we must weigh these disadvantages against the considerable windfall that unions have received under *Abood* for the past 41 years," Justice Alito wrote.

"It is hard to estimate how many billions of dollars have been taken from nonmembers and transferred to public-sector unions in violation of the First Amendment. Those unconstitutional exactions cannot be allowed to continue indefinitely."

Statements for and against the decision poured in swiftly.

Ohio Republicans were largely silent on the ruling. However, the Buckeye Institute cheered the decision.

"The Supreme Court today in *Janus v. AFSCME* announced its basic rule of human decency and common sense: consent matters - and hardworking public-sector workers can no longer be forced to pay for political speech or other activities without their affirmative consent," President and CEO Robert Alt said in a statement.

The American Legislative Exchange Council also hailed the ruling.

"Today's Janus decision overturns a precedent set 41 years ago. This will allow workers to keep their pay, they will no longer be forced to pay fees that support a union's collective bargaining efforts and administrative work," said Robert Ordway, Director of the Commerce, Insurance and Economic Development Task Force at ALEC.

The court's liberal justices dissented in the decision, with Justice Elena Kagan writing that the majority's holding will lead to "a collective action problem of nightmarish proportions."

Among the repercussions of the decision, she predicted that it will lead to a decline in public sector unionization.

"Everyone - not just those who oppose the union, but also those who back it - has an economic incentive to withhold dues; only altruism or loyalty - as against financial self-interest - can explain why an employee would pay the union for its services," she wrote in a dissent joined by Justice Ruth Bader Ginsburg, Justice Stephen Breyer and Justice Sonia Sotomayor.

She also accused the majority of "weaponizing the First Amendment, in a way that unleashes judges, now and in the future, to intervene in economic and regulatory policy."

Several Democratic lawmakers blasted the decision in statements, as did unions. Jay McDonald, president of the Ohio Fraternal Order of Police, said the group is "confident that our membership understands the value of belonging to the FOP and we will continue to work hard to keep their trust."

Ohio AFL-CIO President Tim Burga said "billionaires and corporate special interests that have manipulated our system of justice have succeeded in getting the highest court in the land to do their bidding."

The Ohio Federation of Teachers and the Ohio Education Association also spoke out. OFT President Melissa Cropper said the decision will lead to greater activism among her members.

"This decision today is a momentary triumph for the wealthy special interests who backed this lawsuit," she said. "But the voices of working people will not go unheard. And unions, such as ours, remain the best way to make sure decision-makers - at work or in the halls of government - are listening."

The Ohio Civil Service Employees Association said the decision "will only further rig the economy in favor of the wealthy and corporate interests."

OAPSE Executive Director Joe Rugola called the decision political.

"Justice Alito even says in his opinion that unions are powerful and get things done for our members," he said. "That's what the anti-union forces are afraid of: that our collective voice on behalf of workers will mean better pay and benefits for working people."

Kennedy Retirement: Justice Kennedy announced his retirement Wednesday, paving the way for Republicans to move the court in a decidedly rightward direction, a fact that was not overlooked by many, including Ohio Right to Life, which predicted the overturning of *Roe v. Wade.*

"Moments like these are why pro-life Americans elected President Donald Trump," President Mike Gonidakis said. "He has the historic opportunity to add a justice who will serve as the fifth pro-life vote on the court. Ohio Right to Life's goal has always been to overturn *Roe v. Wade* and to see the end of abortion, which has killed 60 million American children in the last 45 years."

NARAL Pro-Choice Ohio Executive Director Kellie Copeland expressed concern that the next right-leaning appointee would be in a position to overturn the "constitutional right to access abortion."

"Americans have had their rights stripped away by the US Supreme Court, thanks in part to a stolen seat that should have been filled by President Barack Obama," she said. "Women, union members, and immigrants all were harmed by decisions handed down just this week. We need a court that protects and respects rights, not one that pushes the political agenda of Donald Trump, Mike Pence and their ultra conservative cronies."

U.S. Rep. Bill Johnson (R-Marietta) encouraged his upper chamber colleagues to act quickly on filling the court opening.

"I encourage President Trump to nominate a qualified jurist from the list of potential Supreme Court judges he unveiled during his presidential campaign - someone who will interpret the Constitution as written, rather than legislating from the bench," he said.

"Whoever ends up filling this vacancy will play a major role in the future of the high court."

Justice Kennedy plans to step down at the end of July, and U.S. Senate Majority Leader Mitch McConnell (R-KY) said he plans to hold a vote on a replacement this fall.

The White House in a statement provided no timeline on choosing the justice's successor and instead focused on his service.

"A Californian - like the president who appointed him - Justice Kennedy is a true man of letters," the statement read. "During his tenure on the court, he authored landmark opinions in every significant area of constitutional law, most notably on equal protection under the law, the separation of powers, and the First Amendment's guarantees of freedom of speech and religion."

Chairman: Senate Looking For Balance With Payday Lending Measure

Two weeks in the Senate wasn't enough time to resolve the complex issues surrounding payday lending law revisions, and interested parties will keep talking on a compromise, a key lawmaker guiding the process said Wednesday.

Sen. Scott Oelslager (R-N. Canton) made the comments following a meeting of the Senate Finance Committee, which he chairs. The panel heard some additional testimony before a surprise attempt by the ranking minority member to move it forward.

The chairman previous said he didn't intend to take any amendments or call a vote on the proposal (HB 123) this week, but Sen. Michael Skindell (D-Lakewood) made a motion to report the measure before the meeting could be adjourned.

After committee members were called back from other meetings, majority Republicans voted on party lines to table Sen. Skindell's motion.

Sen. Oelslager said he and many members of the committee are still unsure what direction they would like to see the bill go, whether that entails the way it's written, or with some or all of the recommendations made by Sen. Matt Huffman (R-Lima). (See Gongwer Ohio Report, June 26, 2018)

"We also want to make sure that the interested parties have a chance to keep talking," he said after the meeting. "It's a very complicated issue. We want to make sure there's a balance between the person offering the loan and the person taking out the loan."

Sen. Skindell's move came after Nick Bourke, director of consumer finance for the Pew Charitable Trusts, asked senators to advance the proposal as written.

"I urge this committee to take a vote," he said. "Vote on HB123 as passed by the House. Or make a few sensible amendments to HB123 as we've discussed and vote on that. Even if it fails, we will know where this process stands."

Mr. Bourke, who has testified several times on the measure, told the committee they have three options in front of them: an overhaul of regulations such as HB123, the complete elimination of high-interest lending, and the status quo.

The proposals from Sen. Huffman, he said, would preserve the status quo.

"It is not reform because it does not solve the problems for consumers and it would cost the small number of payday lenders who enjoy the status quo today virtually nothing," he said.

Sen. Oelslager asked if the proposal is worse than the current law for lenders, and Mr. Bourke said it would have no change.

Mr. Bourke also said lawmakers could propose to ban high-interest loans entirely.

Sen. Bill Coley (R-Liberty Twp.) said the 2008 regulation constituted an attempt to ban high-interest loans.

"Ten years ago, when the legislature and then the voters of Ohio dealt with the legislation, that was a ban bill in the state of Ohio," he said. "Is the House-passed version of HB123 a ban bill?"

Mr. Bourke said it's a reform effort and would still allow companies to operate.

"I've spoken with companies that used to operate in Ohio before 2008 that left Ohio because they did not want to operate in a loophole," he said.

The panel also heard from Ashish Gandhi, owner of Cash Plus Silverton, who praised Sen. Huffman's plan.

"I believe that Senator Huffman's plan was very well thought out and mathematically intelligent," he wrote. "He was magically able to give all sides what they were asking for. His plan lowers the APR that critics insisted on. His plan lowers the daily cost of a loan to less than a cheap cup of coffee at a gas station. His plan allows for a plethora of options for both consumers and businesses."

The original version of the legislation is "extreme, poorly written and not workable," he said.

Sen. Huffman's plan is not exactly what the industry would have wanted, but would allow businesses to stay in place, he said.

Prosecutors Praise Beefed Up Parole Monitoring Bill

A bill to revise parole monitoring procedures has the potential to save lives, members of a Senate panel were told Wednesday.

The legislation (SB 202) is named after Reagan Tokes, who was murdered by Brian Golsby shortly after his release from prison.

Lou Tobin, executive director of the Ohio Prosecuting Attorneys Association, said the legislation "will fill the gaps in the way the state manages offenders who are released from prison."

Among the bill's provisions, it would create reentry programs to ensure that those released from prison are not homeless and require restrictions to be placed on those who are on post-release control and fitted with GPS monitoring devices.

It would also require the state to create a database of GPS data that would be available to law enforcement officials when investigating crimes. Another portion of the legislation would focus on ensuring parole officer caseloads are not too large.

"Brian Golsby was released into homelessness and with a GPS monitor that did not establish zones within which he was allowed to move," Mr. Tobin told members of the Senate Government Oversight & Reform Committee. "It was subsequently discovered he committed at least six violent robberies, prior to his encounter with Reagan, all while being 'monitored.' The state must do more to address the circumstances that led to this."

William Parker of the American Court & Drug Testing Services said GPS monitors are essentially useless without guidelines and restrictions.

"GPS technology can do much, much more than simply provide the current location of someone wearing the ankle bracelet. Using easily programmable curfews, inclusion and exclusion zones and daily schedules, the technology can alert us immediately if the defendant is not where they are supposed to be when they are supposed to be there," he said.

"The technology can alert us immediately if the defendant moves into a neighborhood where his or her presence represents a threat to a person or community. It can notify us immediately if the defendant removes the bracelet or fails to charge the bracelet. But, the effective use of this technology requires more than satellites, cellular signals and computer applications."

Phyllis Carlson-Riehm of the ACTION OHIO Coalition For Battered Women also provided written testimony in support of the measure.

"We all know that Ohio's prisons are full to overflowing and the costs are enormous," she wrote. "We all know that prison reforms are long overdue to reduce the number of non-violent inmates and move them into meaningful community corrections programs and rehabilitated lives.

"But at the same time we must not fail to strengthen Ohio laws to hold violent repeat felons responsible for the multiple crimes that they commit and stop the needless human tragedies that are happening to many Ohio families."

Companion legislation (HB 365) - that also deals with indeterminate sentencing - cleared the House earlier this month. (See Gongwer Ohio Report, June 20, 2018)

Senate Releases Session Calendar

The Senate could hold full sessions as many as 14 days during the second half of the year, according to a schedule released by Senate President Larry Obhof (R-Medina) on Wednesday.

The calendar sets if-needed sessions for July 10 and August 22. Three potential session dates are set for September.

Nine possible dates are scheduled for November and December, which would represent the chamber's post-election session.

The House has yet to release its schedule for July through December.

All session dates are available in Gongwer's full legislative schedule, where the meetings can be synced with Outlook calendars.

Governor's Appointments

Opportunities for Ohioans with Disabilities Council: Kimberly S. Monachino of Twinsburg for a term beginning June 27, 2018, and ending June 1, 2019 and Margie Hegg of Upper Arlington for a term beginning June 27, 2018, and ending June 1, 2020.

Supplemental Agency Calendar

Thursday, June 28

Business Gateway Steering Committee, 30 East Broad Street, Room 2925, Columbus, 1 p.m.

Supplemental Event Planner

Friday, August 3

Sen. Sandra Williams **(D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave., Cleveland, 5 p.m., ($200 (table); $20 (friend) to Friends of Sandra Williams)**

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House Activity for Wednesday, June 27, 2018

PASSED

SB 66 **CRIMINAL LAWS** (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including the promotion of effective rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting pre-trial diversion and intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation; to extend the State Highway Patrol's authority to enforce criminal laws to also apply to the Northeast Ohio Correctional Center; to modify the penalty for an employer's failure to remit state income taxes withheld from an employee; and to authorize the conveyance of state-owned real estate.
84-2 (Edwards, Schaffer) (Amended)
Gongwer Coverage

SB 81 **FIREARMS** (Terhar, L.) To waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at $1.5 million.
76-6
Gongwer Coverage

SB 127 **WASTE COLLECTION VEHICLES** (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.
84-0
Gongwer Coverage

SB 216 **SCHOOL REGULATIONS** (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs, to add the territory of Summit County to the Stark State College District, and to prescribe procedures for appointing the board of trustees of the combined technical college district.
60-32 (Amended)
Gongwer Coverage

SB 220 **CYBERSECURITY** (Hackett, B., Bacon, K.) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program, to allow transactions recorded by blockchain technology under the Uniform Electronic Transactions Act, and to alter the definition of "key employee" under the Casino Gaming Law.
62-21 (Earlier REPORTED-AMENDED)
Gongwer Coverage

SB 221 **AGENCY RULEMAKING** (Uecker, J.) To reform agency rule-making and legislative review thereof.
73-19 (Earlier REPORTED-AMENDED)
Gongwer Coverage

SB 239 **REGIONAL GOVERNMENT COUNCILS** (Dolan, M.) To modify the law concerning regional councils of governments to clarify that a municipal corporation eligible to designate a tourism development district may designate more than one district, to specify that the American Law Institute's approved "Restatement of the Law, Liability Insurance" does not constitute the public policy of Ohio, to designate a portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial Highway," to designate a portion of Interstate Route 270 in Franklin County as the "Officers Anthony Morelli and Eric Joering Memorial Highway," and to designate the portion of U.S. Route 24 in Henry County as the "Henry County Veterans Highway."
88-0
Gongwer Coverage

SB 299 **WATER IMPROVEMENTS** (Gardner, R., O'Brien, S.) To credit additional amounts of the Local Government Fund to fund public safety services in areas that experienced a 30% or more decrease in the taxable value of certain power plants between 2016 and 2017, to phase out the payments

over ten years, to increase the appropriation to the Local Government Fund; to support broadband development; to establish the OhioCorps Pilot Project; and to make appropriations, including appropriations for the protection and preservation of Lake Erie and the National Guard Scholarship Program.
88-0 (Amended)
Gongwer Coverage

HB 7 **MEDICAL PROVIDER IMMUNITY** (Cupp, R.) To grant qualified civil immunity to certain medical providers and emergency medical technicians who provide emergency medical services as a result of a disaster and through its duration; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to permit access to peer review committee documents during authorized inspections by the Director of Health while preserving their confidentiality; and to clarify the definition of "medical claim."
71-16
Gongwer Coverage

HB 36 **MARRIAGE CEREMONIES** (Vitale, N.) To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial.
59-29 (Amended)
Gongwer Coverage

HB 92 **PUBLIC INDECENCY** (Schaffer, T.) To require an offender who knowingly commits the offense of public indecency under certain circumstances involving exposure of private parts likely to be viewed by minors and for the

purpose of sexual arousal or gratification to register as a Tier I sex offender/child-victim offender if the judge orders registration.
80-0
Gongwer Coverage

HB 126 **KINSHIP CAREGIVERS** (Boyd, J., Rezabek, J.) To require a region-based kinship care navigator program, and to make an appropriation.
82-0
Gongwer Coverage

HB 156 **VISION CARE INSURANCE** (Schuring, K.) Regarding limitations imposed by health insurers on vision care services.
75-2 (Hambley & Romanchuk)
Gongwer Coverage

HB 211 **HOME INSPECTORS** (Hughes, J.) To require the licensure of home inspectors,to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors, and to require realtors who recommend home inspectors to provide a list of home inspectors
74-6
Gongwer Coverage

HB 240 **MONTH DESIGNATION** (Barnes, J.) To enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency.
Bill: 77-0; Emergency: 75-6
Gongwer Coverage

HB 349 **POLICE ANIMALS** (LaTourette, S.) To increase the penalty for assaulting a police dog or horse and to include search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal.
69-11
Gongwer Coverage

HB 355 **SEXTING** (Hill, B., Rezabek, J.) To generally prohibit sexting by a person under 19 years of age.

85-0
Gongwer Coverage

HB 386 **CREDIT FREEZES** (Henne, M., Kelly, B.) To modify the fees that a credit reporting agency can charge in relation to a credit report freeze.
82-2
Gongwer Coverage

HB 425 **BODY CAMERAS** (Antani, N., Craig, H.) To provide that specified portions of peace officers' body-worn camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law.
88-0
Gongwer Coverage

HB 428 **STUDENT EXPRESSION** (Ginter, T., LaTourette, S.) Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018."
62-20
Gongwer Coverage

HB 469 **TAX CREDIT** (Schuring, K., Patton, T.) To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects.
78-0
Gongwer Coverage

HB 479 **DRUG PRICE INFORMATION** (Lipps, S., West, T.) Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information.
75-0
Gongwer Coverage

HB 480 **MULTI-PARCEL AUCTIONS** (Hill, B.) To establish requirements governing multi-parcel auctions.
72-0
Gongwer Coverage

HB 497 **PRIVATE IMAGES** (Rogers, J., Manning, N.) To prohibit the nonconsensual dissemination of private sexual images, to require that certain property involved in the offense be criminally forfeited, and to create certain legal rights and protections of a victim of the offense.
81-0
Gongwer Coverage

HB 500 **TOWNSHIP LAWS** (Carfagna, R.) To make various changes to township law.
81-0
Gongwer Coverage

HB 502 **YOUTH SUICIDE** (Anielski, M.) With regard to educator inservice training on youth suicide awareness and prevention in public schools.
82-0
Gongwer Coverage

HB 511 **MARRIAGE AGE** (Lanese, L., Rogers, J.) To make changes to the laws governing the ages at which persons may marry.
78-0
Gongwer Coverage

HB 540 **TEACHER EVALUATIONS** (Gavarone, T., Manning, N.) With regard to teacher evaluations.
84-0
Gongwer Coverage

HB 543 **COUNTY PROSECUTORS** (Perales, R., Hambley, S.) To allow a county prosecuting attorney to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser.
79-0
Gongwer Coverage

HB 572 **RETIREMENT CREDIT** (Scherer, G., Howse, S.) Regarding Public Employees Retirement System service credit for services as a nonteaching school employee of a county board of developmental disabilities.

80-0
Gongwer Coverage

HB 595 **PROBATE LAW** (Cupp, R., Rezabek, J.) Relative to procedures for a testator to file a declaratory judgment action to declare the validity of a will prior to death and the settlor of a trust to file such an action to declare its validity, exceptions to antilapse provisions in class gifts in wills and trusts, incorporation of a written trust into a will, trusts for a minor, arbitration of trust disputes, the creation of county and multicounty guardianship services boards, the coroner's disposition of person dying of suspicious or unusual death, an application for the release of medical records and medical billing records, and adding involuntary manslaughter not resulting from a felony vehicular homicide offense to the list of offenses excluding an individual from inheriting from a decedent.
78-0
Gongwer Coverage

HOUSE CONCURS IN SENATE AMENDMENTS

HB 18 **SPECIAL ELECTIONS** (Pelanda, D., Retherford, W.) to eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances; to authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers, to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices; and to require that, upon request, county auditors, municipal fiscal officers, and their employees must share lodging tax return information with the directors of convention and visitors' bureaus operating in their counties.
67-22
Gongwer Coverage

HB 87 **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of the enrollment records of a community school, to clarify the time period within which a school district emergency levy or substitute levy may be renewed or replaced, to clarify the responsibilities of a school district treasurer regarding the signing or executing of certain documents, to require the State Board of Education to adopt standards for learning management software for internet- and computer-based community schools, regarding qualification for state payments by internet- or computer-based community schools, regarding joint

health and medical insurance programs by political subdivisions and county boards of developmental disabilities, regarding submission of five-year financial forecasts by public schools, and regarding the moratorium on certain provisions affecting community schools and school districts whose enrollments were affected due to enrolling students of a suspended e-school.
70-22
Gongwer Coverage

HB 263 **OUTDOOR DINING AREAS** (Lanese, L.) To generally allow an owner, keeper, or harborer of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.
79-10
Gongwer Coverage

HB 312 **POLITICAL SUBDIVISION SPENDING** (Schuring, K., Greenspan, D.) To regulate the use of credit cards and debit cards by political subdivisions, to modify the duties and powers of the Auditor of State, to specify that electronic submission of a public record request entitles the requestor to damages if the public office fails to comply with the Public Records Act, to make changes to the law governing financial planning and supervision commissions, and to authorize a property tax abatement for certain property subject to a submerged land lease and held by a municipal corporation.
91-0
Gongwer Coverage

HB 318 **SCHOOL RESOURCE OFFICERS** (Patterson, J., LaTourette, S.) To define the necessary qualifications and responsibilities of school resource officers, to require the Facilities Construction Commission to study and report on school building security upgrades and to make an appropriation.
69-20
Gongwer Coverage

HB 336 **LICENSE FEES** (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative.
84-6
Gongwer Coverage

HB 347 **ROAD NAMING** (Kelly, B., Dever, J.) To designate multiple memorial highways.
91-0
Gongwer Coverage

CONFERENCE REPORT ADOPTED

SB 1 **DRUG OFFENSES** (LaRose, F.) To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marihuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances.
59-10
Gongwer Coverage

HOUSE SPEAKER'S APPOINTMENTS

Community & Family Advancement Committee: Remove Rep. Brinkman, appoint Rep. Greenspan

COMMITTEE HEARINGS

Agriculture & Rural Development

HB 560 **PET FOOD** (Lanese, L.) To prohibit pet food from containing remains from an animal that was euthanized by the use of any drug injected intravenously or through another nonvascular route or remains from any dog or cat. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Laura Lanese (R-Grove City) said her measure "will provide pet owners some assurance that their pet food does not contain the remains of other cats and dogs and that it does not contain pentobarbital, the drug used to euthanize cats and dogs."
The sponsor referred to news stories in recent years about tainted pet food and noted the FDA had recalled products after pentobarbital, which is used be veterinarians to euthanize cats, dogs and horses, was found in the samples from an Ohio-based pet food company.
Rep. Lanese said current state law doesn't sufficiently cover the products that rendering plants sell to pet food manufacturers. "Under current Ohio law, a commercial feed is adulterated if it bears or contains any poisonous or deleterious substance that may render it injurious to animal or human health, except that when the substance is not an added

substance. Since the drug is not added during processing, the feed may not be considered an added substance and therefore permissible," she said.

"Most pet owners do not want to feed their family dog or cat the remains of other dogs and cats. Even if a consumer actively tries to make an informed decision by reading the label, terms like animal meal and meat meal make it hard to decipher what exactly is in our pet's food," the sponsor said. "Guardrails to ensure that our pets are not eating other pets and ingesting euthanasia drugs is one small token we can offer consumers, especially since pet food companies are denying they are part of the pet food they sell."

Responding to a question from **Rep. Michael Sheehy** (D-Oregon), the sponsor said there are federal regulations regarding pet food content but the lack of any legal actions underscore the need for Ohio to take action and tighten its oversight.

Several members had questions about testing for the drug, and Rep. Lanese told **Rep. Darrell Kick** (R-Loudonville) that imposing such costs on rendering plants would likely lead to extensive pushback.

She told Rep. John Patterson (D-Jefferson) she was unsure how many rendering plants existed in the state. "There's very little oversight of this industry," she said, adding the bill would only apply to Ohio plants.

Rep. Keith Faber (R-Celina) said he applauded the concept of the bill but questioned whether the oversight should be left to the free market, such as pet food makers putting testing labels on their products.

HB 631 **AMUSEMENT RIDES** (**Hughes, J.**, **Patterson, J.**) To revise the laws governing amusement ride operation and safety, to designate this act as "Tyler's Law," and to declare an emergency. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

Insurance

HB 621 **DEATH BENEFITS** (**Hughes, J.**) To revise the payments that surviving family members receive from the Ohio Public Safety Officers Death Benefit Fund and to permit surviving spouses and children to participate in the health, dental, and vision benefits offered to state employees as if the survivors were employees of this state. (**CONTINUED (No testimony)**; 3rd Hearing-Opponent)

Chair **Rep. Tom Brinkman** (R-Cincinnati) said the committee received a **fiscal note** detailing the bill's estimated costs. He said an amendment is being drafted in regard to a similar bill pending in the Senate.

SB 227 **HEALTH PLAN CLAIMS** (**Huffman, M.**) To require health plan issuers to release certain claim information to group plan policyholders. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Matt Huffman (R-Lima) said the bill would give employers more information about claims made under their health insurance coverage while protecting information that details which individuals and dependents are receiving care.

That information will give small employers more data they can use to shop for coverage from insurers, he said. Without that information, small businesses are often left to renew coverage and accept rate increases proposed by insurers.
Claims information that would be shared with employers wouldn't include any personal information, and he said the release of that redacted data isn't prohibited by federal law.
The result would spur more competition in the insurance market, potentially leading to lower prices, he said.
Rep. Wes Retherford (R-Hamilton) asked if there would be any cases where the release of information could be denied.
Mr. Huffman said the bill directs the release of non-identifiable claims information about all people covered under a company's policy.
Rep. George Lang (R-West Chester) said his initial reaction to the proposal is that if an employer is paying an insurance bill, it should have access to claims information.
Responding to **Rep. Michael Henne** (R-Clayton), Sen. Huffman said the bill is targeted to employers with between 50 and 100 employees, and indicated that leaders of smaller companies might already be aware of health conditions that their employees have.
Rep. Glenn Holmes (R-McDonald) questioned whether the sponsor would be willing to consider redacting pharmaceutical information, indicating that having knowledge of drug use could create ethical issues for those who make decisions about employee coverage.

Government Accountability & Oversight

SB 220 **CYBERSECURITY** (**Hackett, B.**, **Bacon, K.**) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program. (**REPORTED-AMENDED (No testimony)**; 3rd Hearing-All testimony-Possible amendments & vote)

An amendment offered by **Rep. Kathleen Clyde** (D-Kent) to replace the phrase "reasonable compliance" with "actual compliance" was tabled in an 8-2 vote, with **Rep. Bernadine Kent** (D-Columbus) joining all the Republicans present in the vote, as she would do throughout the committee meeting after recently being exiled from the House Democratic Caucus.
In explaining her motion to table, **Rep. Dorothy Pelanda** (D-Marysville) said actual compliance could be a difficult bar for small businesses to clear.
"Reasonable compliance was arrived at after several interested party meetings and discussions with those people," she said.
Another failed amendment proposed by Rep. Clyde would have allowed a person whose private information is compromised to request the attorney general's office bring legal action. If it does not, the person would be able to bring legal action on behalf of the state and split the recovery.
An amendment offered by **Rep. Bill Seitz** (R-Cincinnati) that would allow owners of casinos with less than a 5% stake to avoid licensing requirements was added to the bill. He said the current law that requires licensing for anyone owning as little as 1% is unworkable for a publicly traded company.
Rep. Clyde questioned how the amendment does not run afoul of the single-subject rule.
Rep. Seitz responded the subject matter of the bill is commerce.
"I can't see anybody filing a lawsuit over this because it is simply common sense," he said.

An amendment offered by chairman Rep. Lou Blessing (R-Cincinnati) pertaining to blockchain technology e-signatures was also attached to the measure.

SB 221 **AGENCY RULEMAKING** (Uecker, J.) To reform agency rule-making and legislative review thereof. (**REPORTED-AMENDED (No testimony)**; 4th Hearing-All testimony-Possible amendments & vote)

A clarifying amendment offered by Rep. Blessing to make the language in the measure more consistent with the rest of the section was accepted without objection.

Two Democratic amendments - both offered by **Rep. Brigid Kelly** (D-Cincinnati) - were tabled.

The first would have removed language allowing a business to challenge an agency rule based on adverse impact. Rep. Kelly called the language "overly broad."

"I think the main thrust is really to just avoid harming business," Rep. Blessing said.

The other would have removed language allowing a business to contest a rule outside of the regular review period.

SB 263 **NOTARY PUBLIC** (Huffman, M., Wilson, S.) To enact the Notary Public Modernization Act. (**CONTINUED (No testimony)**; 3rd Hearing-All testimony)

Subscribers Note: For full testimony see the **committee's website** under June 26.

Health

HB 167 **OPIOID MEDICATIONS** (Edwards, J.) Regarding addiction treatment and opioid prescribing by physicians and dentists. (**REPORTED**; 3rd Hearing-All testimony-Possible vote)

The measure was reported unanimously.

Rep. Emilia Sykes (D-Akron) said a constituent with chronic pain raised concerns about the limitations in the initial draft of the proposal and said it could hinder patients' ability to get treatment.

Sponsor **Rep. Jay Edwards** (R-Nelsonville) said those provisions have been removed from the bill, which now focuses on ensuring patients have access to medication-assisted treatment if a prescriber is unavailable. "I got a lot of the same calls," he said.

HB 326 **PRESCRIBING AUTHORITY** (Seitz, B., Gavarone, T.) To authorize certain psychologists to prescribe psychotropic and other drugs for the treatment of drug addiction and mental illness. (**CONTINUED (No testimony)**; 6th Hearing-Possible substitute & amendments)

HB 546 **TELEMEDICINE** (Patton, T.) To prohibit health benefit plans from treating telemedicine services differently from in-person health care services solely because they are provided as telemedicine services. (**CONTINUED**; 4th Hearing-All testimony-Possible vote)

Jimelle Rumberg, executive director of the Ohio Foot and Ankle Medical Association, said the measure would enhance physicians' efforts to provide quality, cost-effective care by allowing the care delivery system to evolve through telemedicine.

"As employers and insurers continue to drive consumers to high-deductible insurance plans that require more patient out-of-pocket requirements, telemedicine and its ability to provide quality care for lower prices could help consumers better manage their out-of-pocket requirements that are mandated by these high-deductible plans," she said.
She disputed claims that the legislation would mandate the use of telemedicine by insurers or health plans, saying it only creates a "payment parity" between in-person and telemedicine services.
"HB546 simply says that payment discrimination to a provider cannot take place solely based on the fact that the service is provided via telemedicine," she wrote. "Insurers and health plans still would have utilization management tools they may use to regulate telemedicine services and HB546 does not infringe on those capabilities."
Miranda Motter, president and CEO of the Ohio Association of Health Plans, said in written testimony that the proposal constitutes a statutory mandate for coverage of telehealth, which could stifle innovation and limit the technology's ability to be a tool to drive down costs.
"Telehealth should not be used to increase health care costs for consumers, employers and the state as the payer for Medicaid and the State Employees Health Plan," she wrote. "As a result, Ohio's health care consumers should not have to pay for 'bricks and mortar' infrastructure, facility fees and other types of fees hospitals and doctors charge for in-person services."

HB 559 **CHILD IMMUNIZATIONS** (**Gonzales, A.**, **Landis, A.**) To make changes to the law governing immunization of children enrolled in school, preschool programs, and day-care programs. (**CONTINUED-SUBSTITUTE**; 4th Hearing-Possible substitute & amendments)

The panel accepted a substitute version that removes the requirement that the Department of Health publish immunization rates by school building and makes other changes, said **Rep. Theresa Gavarone** (R-Bowling Green). (**Comp Doc**)
The school building change stemmed from concerns that it could lead to shaming and might allow specific students to be identified, she said.
The new version retains provisions about school-level reporting to ODH and clarifies that information from private and parochial schools is not to be posted on the department's website, she said.
Rep. Gavarone said the new version expands the eligible documents to include a copy of the child's immunization record and allows the provider to submit a form for parents seeking a non-medical exemption. It also delays implementation until the 2021 school year.
The committee received written testimony from Donna Kazee, president of Ohio Advocates for Medical Freedom, who urged committee members to pay more attention to concerns from opponents.
Ms. Kazee raised concerns about the tracking of vaccination and exemption status and the public posting of data, and about the insertion of a third party into the exemption process against the parent's choosing.
"These and other parents should not be forced to receive education and information when they are declining for religious/conscience reasons, which have nothing to do with medical information," she said.

She also suggested more details of the required form be standardized, raising concerns that it could include statements such as that they are placing their child and others in danger by not vaccinating.
"We encourage and are happy to assist with further discussion about both standardized form contents and responsibility and determination of standardized risk and benefit information," she said.

HB 677 **MENTAL HEALTH** (**Barnes, J.**) To require the Department of Mental Health and Addiction Services to operate a demonstration program under which a mental health trauma center is established as part of a county hospital located in Cuyahoga County. (**CONTINUED**; 1st Hearing-Sponsor & proponent)

Sponsor Rep. John Barnes (D-Cleveland) said it would require a mental health trauma center to be established through a demonstration program at a county hospital in Cuyahoga County.
"In the state of Ohio, we have a crisis of mental health issues, and largely our government has been reactive to the problem," he said.
The proposal is intended to get out in front of the issue by improving access to mental health services, particularly short-term services, he said.
The sponsor said he hoped to work out the details of the proposal over the summer.

HB 72 **STEP THERAPY** (**Johnson, T.**, **Antonio, N.**) To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid. (**CONTINUED-SUBSTITUTE**; 6th Hearing-Possible substitute)

The committee accepted a substitute version that **Rep. Terry Johnson** (R-McDermott) said made a variety of changes. (**Fiscal Note**)
The new version replaces the terms "based on medical necessity" and "medically appropriate" with "consistent with medical and scientific evidence," he said. It also reduces the exemptions to four and modifies them. It now exempts a patient when the medication is contra-indicated or will likely cause an adverse reaction or physical or mental harm, as opposed to previously just if it is contra-indicated, he said.
The substitute version also makes changes to the appeals process, he said.

Civil Justice

HB 147 **HUMANE SOCIETIES** (**Hambley, S.**) To make changes to humane society law and to make humane society agents subject to bribery law. (**REPORTED**; 4th Hearing-All testimony-Possible vote)

Corey Roscoe, Ohio state director for the Humane Society, submitted interested party testimony in which she said concerns remain that the regulations proposed "can create overdue burdens and unintentionally make it harder for humane societies to perform their volunteer law enforcement duties."
"One prominent concern of the bill is to require non-prosecution requirements entered in by humane society-appointed prosecutors be approved by a judge but not required for all prosecutors and cases prosecuted under 959," Ms. Roscoe wrote. "The law should be

consistent for all prosecutors if the goal of judicial review is to serve as a check and balance."

HB 615 **DEBT COLLECTIONS** (**West, T.**) To require creditors, prior to collecting the debt of a decedent outside of probate, to explicitly inform the person from whom payment is sought that the person is under no obligation to pay the debt. (**CONTINUED**; 1st Hearing-Sponsor)

Due to the lateness of the committee's start, in terms of HB615, HB672 and HB694, Chair **Rep. Jim Butler** (R-Oakwood) said the panel would accept written sponsor testimony to constitute each bill's first hearing. Sponsors may appear before the panel at a later date to answer questions, he said.

In written testimony, **Rep. Thomas West** (D-Canton) urged support for his measure that aims to ensure those who have lost loved ones don't mistakenly believe they are obligated to pay the deceased's debts.

"House Bill 615 will require all creditors that have claims against an estate to inform the person from whom payment is sought, that they as an individual are under no obligation to pay the debt," the sponsor wrote. "The bill also states that failure to inform the individual is considered an unconscionable act and renders the creditor subject to legal action by the Attorney General or by the individual that was left uninformed."

HB 672 **PUBLIC RECORDS** (**Barnes, J.**) To create a procedure by which a person may obtain a court order to correct an error, omission, or legal defect in a public record, and to name the act the "Final Order Correction Act." (**CONTINUED**; 1st Hearing-Sponsor)

Rep. John Barnes (D-Cleveland) said in his written presentation the proposal would enable a person to file a petition in the court of common pleas to request a correction or invalidation if an error, omission or legal defect is found in a public record.

The error must personally affect the complainant, who must then file with the county where the office responsible for the record is located or where the record is kept. The office must then respond and state the basis for belief the record is accurate.

The court would then determine whether a correction or invalidation is required based on a preponderance of the evidence. "The (bill) will ensure that the constitutional right of due process is achieved," Rep. Barnes wrote.

HB 694 **CONTRACT LIMITATIONS** (**Lang, G.**) To shorten the period of limitations for actions upon a contract. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. George Lang (R-West Chester Twp.) said in written testimony his proposal is "short but significant" in that it reduces the statute of limitations for written and oral contracts from eight and six years respectively to three years.

"As a business owner, the more certainty I can gain, the more business risks I can take," Rep. Lang said. "If I know my liability on a contract only runs for three years, I can take on different relationships. I can be certain that my current obligation will run for a time certain. This allows me to launch capital expenditures, strategically deploy capital, and to secure appropriate risk management devices."

Ohio previously had a 15-year statute on written contracts until 2012. He pointed to similar steps taken by Kentucky and other states, saying they risk putting Ohio at a competitive disadvantage.

"A significant, tangible cost savings will result for business by removing the necessity to retain eight years of documents," Rep. Lang said. "More and more, document retention is becoming a cost driver for business. Limiting the need to only three years, will remove a key burden on businesses."

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- Senate Panel Seeks to Clarify E-School 'Safe Harbor' Provisions
- Energy Standards Bill Still Not Ready to Move, Lawmakers Say
- Portman, Brown Tout Defense Investment, Push Lake Erie Clean-Up
- SCOTUS Rules against Public-Sector Labor Unions
- Reactions Roll In to SCOTUS Decision in Janus v. AFSCME 31
- U.S. Supreme Court Justice Kennedy to Retire
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House Committee Reports

- Agriculture and Rural Development
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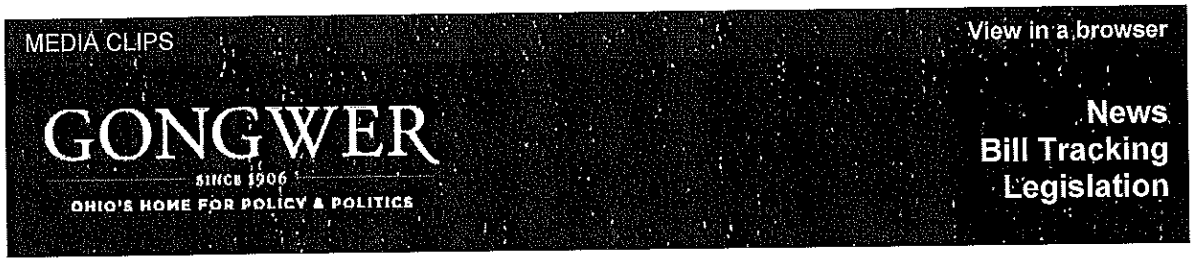
Senate Committee Reports

- Education
- Energy and Natural Resources
- Finance
- Government Oversight and Reform
- Rules and Reference Committee
- Transportation, Commerce and Workforce

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From: Gongwer News Service
Sent: Thursday, June 28, 2018 8:36 AM
To: Sarko, Alyssa
Subject: Ohio Media Clips, Thursday, June 28



NEWS

Firm hired to investigate lawmaker also donated to him (Associated Press, 6/28/2018)

Ohio lawmakers look to provide online academy 'safe harbor' (Associated Press, 6/28/2018)

Grab a beer with man's best friend: Ohio expected to allow dogs on patios (Cincinnati Enquirer, 6/28/2018)

This U.S. Supreme Court decision might have forced Ohio into 'right-to-work' (Cincinnati Enquirer, 6/28/2018)

Bone appetit: Dogs could soon be welcome at bar and restaurant patios (Cleveland Plain Dealer, 6/28/2018)

Ohio lawmakers OK $114.5 million for new voting machines (Cleveland Plain Dealer, 6/28/2018)

Ohio legislature passes blockchain legislation (Cleveland Plain Dealer, 6/28/2018)

Ohio Senate Democrats push for payday lending vote; Republicans scramble to shut it down (Cleveland Plain Dealer, 6/28/2018)

Schools that took in ECOT kids win 'safe harbor' from penalties for bad grades (Cleveland Plain Dealer, 6/28/2018)

Sherrod Brown nabs endorsement from Ohio doctors group (Cleveland Plain Dealer, 6/28/2018)

Drug middlemen charging Ohioans triple the going rate (Columbus Dispatch, 6/28/2018)

Law firm that cleared legislator also gave him cash (Columbus Dispatch, 6/28/2018)

Ohio legislature sends package of e-school bills to Kasich (Columbus Dispatch, 6/28/2018)

Ohio legislature sends package of e-school bills to Kasich (Columbus Dispatch, 6/28/2018)

Ohio payday lenders off the hook — for now at least (Columbus Dispatch, 6/28/2018)

Sexting bill looks to give teens a break for bad choice (Columbus Dispatch, 6/28/2018)

Ohio congressman: Delay replacing Justice Kennedy till after fall election (Dayton Daily News, 6/28/2018)

Ohio House votes to prohibit forcing churches to perform gay weddings (Dayton Daily News, 6/28/2018)

Ohio lawmakers vote to ban sexting by anyone under 19, set up diversion program (Dayton Daily News, 6/28/2018)

Ohio lawmakers vote to end fees charged for credit freezes (Dayton Daily News, 6/28/2018)

Ohio lawmakers vote to raise marriage age after Dayton Daily News investigation (Dayton Daily News, 6/28/2018)

High court strikes down fair-share fees for public workers (Toledo Blade, 6/28/2018)

Last minute bills move in Ohio House, Senate (Toledo Blade, 6/28/2018)

State lawmakers approve Lake Erie funding bill (Toledo Blade, 6/28/2018)

Toledo abortion clinic argues state fines unwarranted (Toledo Blade, 6/28/2018)

EDITORIALS

Sarah LaTourette a rising star in Ohio House: Brent Larkin (Cleveland Plain Dealer, 6/28/2018)

Editorial: Cops in schools are helpful with appropriate guidelines (Columbus Dispatch, 6/28/2018)

Payday lending fiasco (Toledo Blade, 6/28/2018)

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HOUSE E-CLIPS

6/28/2018

Associated Press

OHIO LAWMAKERS LOOK TO PROVIDE ONLINE ACADEMY 'SAFE HARBOR'

Ohio's Republican-led Legislature is preparing to temporarily relax academic performance standards on a virtual school that took in thousands of students from a now-shuttered competitor.

FIRM HIRED TO INVESTIGATE LAWMAKER ALSO DONATED TO HIM

A law firm that cleared one of Ohio's most powerful state lawmakers of a sexual harassment allegation in April contributed to the politician's campaign while the probe was going on, state campaign finance filings show.

The Columbus Dispatch
Ohio's Greatest Online Newspaper

DRUG MIDDLEMEN CHARGING OHIOANS TRIPLE THE GOING RATE — OR MORE

Pharmacy middlemen are charging Ohio taxpayers three to six times as much to process prescription drugs for the poor and disabled as the industry standard.

OHIO LEGISLATURE SENDS PACKAGE OF E-SCHOOL BILLS TO KASICH

With ECOT closed and other Ohio e-schools still struggling to verify the enrollment numbers used to pay them, state legislators sent a package of proposals to Gov. John Kasich aimed at clarifying the basis for paying the schools.

PASTOR PROTECTION ACT PASSES OVER DISCRIMINATION CONCERNS

A Pastor Protection Act that supporters say upholds religious freedom but critics call unnecessary and discriminatory against gay couples was approved by the Ohio House on Wednesday.

LAW FIRM THAT CLEARED LEGISLATOR ALSO GAVE HIM CASH

The Ohio House of Representatives regularly has turned to the law firm of Taft, Stettinius & Hollister when in need of an outside investigator.

SEXTING BILL LOOKS TO GIVE TEENS A BREAK FOR BAD CHOICE

Not wanting to hammer all teens with harsh penalties when they are caught sending nude photographs, the Ohio House voted unanimously on Wednesday to support a lesser penalty for young first-time offenders.

Dayton Daily News
www.daytondailynews.com

OHIO HOUSE VOTES TO REQUIRE DRIVERS TO MOVE OVER FOR TRASH TRUCKS

A measure to require drivers to "move over" when passing trash trucks with flashing lights was approved by the Ohio House on Wednesday on a 84-0 vote.

OHIO LAWMAKERS VOTE TO RAISE MARRIAGE AGE AFTER DAYTON DAILY NEWS INVESTIGATION

Following a Dayton Daily News investigation into thousands of minors getting married in Ohio, lawmakers on Wednesday voted to raise the marriage age to 18 and allow 17-year-olds to marry under some conditions.

OHIO TEACHERS MAY FACE MORE TRAINING ON YOUTH SUICIDE RISKS

Teachers and other public school workers would be required to be trained on the signs that a youth may be at risk of suicide, under a bill that passed the Ohio House on Wednesday by a 82-0 vote.

THE PLAIN DEALER

OHIO SENATE DEMOCRATS PUSH FOR PAYDAY LENDING VOTE; REPUBLICANS SCRAMBLE TO SHUT IT DOWN

Democrats on a committee vetting a proposal to restrict payday loans tried to advance the measure to the full Senate on Wednesday, but the Republican majority successfully defeated the effort.

OHIO LAWMAKERS OK $114.5 MILLION FOR NEW VOTING MACHINES

Help is on the way to replace Ohio's aging voting machines.

SCHOOLS THAT TOOK IN ECOT KIDS WIN 'SAFE HARBOR' FROM PENALTIES FOR BAD GRADES

ECOT students were so far behind other students that schools taking them in deserve a "safe harbor" from damage to their grades, the Ohio legislature decided Wednesday.

OHIO LEGISLATURE PASSES BLOCKCHAIN LEGISLATION

Ohio is close to becoming the latest state to offer legal support for blockchain-based business transactions, following a Wednesday vote by the state's General Assembly.

OHIO LAWMAKERS PASS WAVE OF BILLS HEADING INTO SUMMER BREAK: CAPITOL LETTER

Wrapping up: On their final session day before the Ohio General Assembly heads into summer break, both chambers passed dozens of bills during marathon sessions that lasted well into Wednesday evening.

SARAH LATOURETTE A RISING STAR IN OHIO HOUSE: BRENT LARKIN

Sarah LaTourette was afraid to tell her father.

THE ENQUIRER

GRAB A BEER WITH MAN'S BEST FRIEND: OHIO EXPECTED TO ALLOW DOGS ON PATIOS

In the middle of the dog days of summer or after a "ruff" time at work, you'll soon be able to sip a Bud – or maybe some hair of the dog – with man's best friend, thanks to a bill passed by Ohio lawmakers to allow dogs on outdoor patios.

THIS U.S. SUPREME COURT DECISION MIGHT HAVE FORCED OHIO INTO 'RIGHT-TO-WORK'

Remember that bitter fight against Ohio's Senate Bill 5? A U.S. Supreme Court decision just upended part of it.

PAYDAY LENDING: NO VOTE ON CONTROVERSIAL BILL FOR NOW

Ohio lawmakers won't place any more restrictions on the payday lending industry for now – slowing down a bill that sped through one chamber following an FBI probe into its leader's travel with lobbyists.

THE BLADE

One of America's Great Newspapers

STATE LAWMAKERS APPROVE LAKE ERIE FUNDING BILL

As the annual peak season for toxic algal blooms on Lake Erie approaches, lawmakers on Wednesday finalized a bipartisan measure putting $36 million more in state funds behind efforts to tackle the issue even as critics argue that just throwing more money at the problem isn't the answer.

LAST MINUTE BILLS MOVE IN OHIO HOUSE, SENATE

In their rush for the door for the summer, the Ohio House and Senate on Wednesday voted on more than 50 bills, with some headed for the governor's signature.

BILL PROTECTING E-SCHOOL HEADS TO GOVERNOR

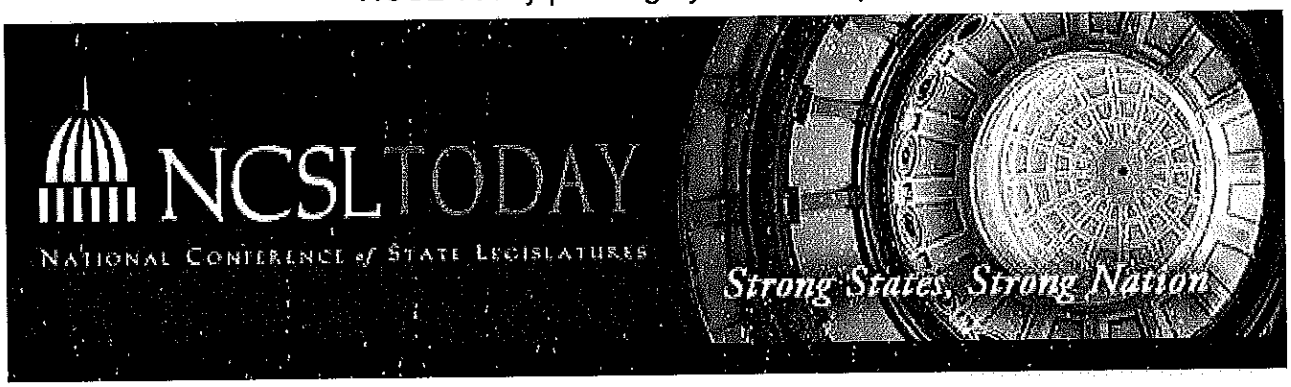
A bill shielding what is now Ohio's largest online school and its sponsor from the negative consequences of accepting thousands of former Electronic Classroom of Tomorrow students is headed to Gov. John Kasich for his signature.

EDITORIAL: PAYDAY LENDING FIASCO

Clamping down on predatory lenders, who charge Ohioans the highest interest rates in the nation, should not require a constitutional amendment, but apparently it's going to.

From: NCSL TODAY
Sent: Thursday, June 28, 2018 12:01 PM
To: Sarko, Alyssa
Subject: Hey, you, behind the wheel: Turn off 'Survivor'

NCSL Today | Manage your subscription



TOP NEWS June 28, 2018

States cracking down on streaming video while driving

USA TODAY

Georgia isn't the only state to single out streaming as a new danger. A Washington state law, the Driving Under the Influence of Electronics Act, in January was the first to specifically mention video on phones. It even makes it illegal for Washington drivers to sneak a peek at their smartphone when stopped in traffic or at a stoplight, though they can touch a mounted or in-dash screen.

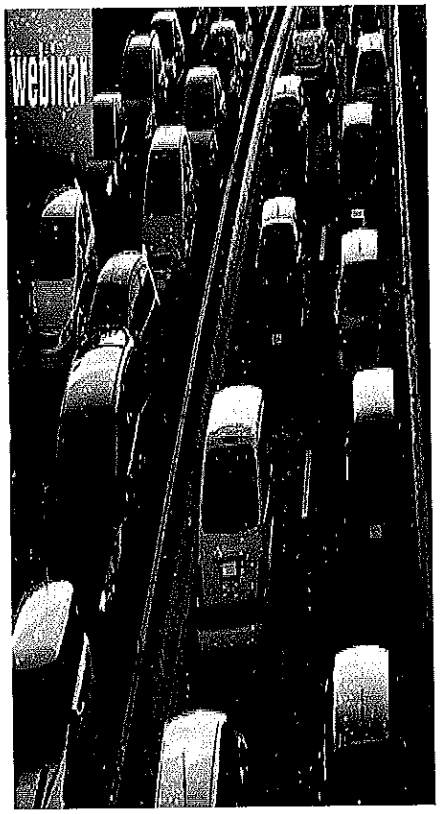
NCSL's Annie Kitch quoted.

NCSL resources on distracted driving.

'Now comes the interesting part' with online sales tax collections

Route Fifty

The court ruling in *South Dakota v. Wayfair, Inc.* has



FEATURED

also left complicated questions in its wake. Like what the specifics of new state policies could look like, whether Congress will take action, and how companies that sell goods online will react. **NCSL's Max Behlke quoted.**

Maine legislature passes sweeping medical marijuana reform bill

Portland Press Herald

The bill, which now goes to Gov.Paul LePage, would let caregivers expand their business operations. For example, they could hire more than one worker, and sell up to 30 percent of their harvest to other caregivers and dispensaries.

NCSL resources on medial marijuana.

Ohio legislature passes blockchain legislation

Cleveland.com

Ohio is close to becoming the latest state to offer legal support for blockchain-based business transactions, following a Wednesday vote by the state's General Assembly.

NCSL LegisBrief on blockchain technology.

South Carolina lawmakers OK rate cuts for failed nuclear plants

Associated Press

South Carolina lawmakers have approved a temporary rate cut of nearly 15 percent for customers of a private utility who paid billions for two nuclear reactors that never produced power.

Webinar 3 p.m. ET TODAY Federal infrastructure funding - an update while we wait

One of the most talked-about possibilities for federal action in 2018 is a new infrastructure bill that aims to inject what nearly all experts agree is a significant boost of funds for many of our national infrastructure systems.

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2017 state tax actions

Hear from thought leaders at NCSL's Legislative Summit July 30-Aug. 2

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BLOG

Supreme Court deals blow to unions in Janus case

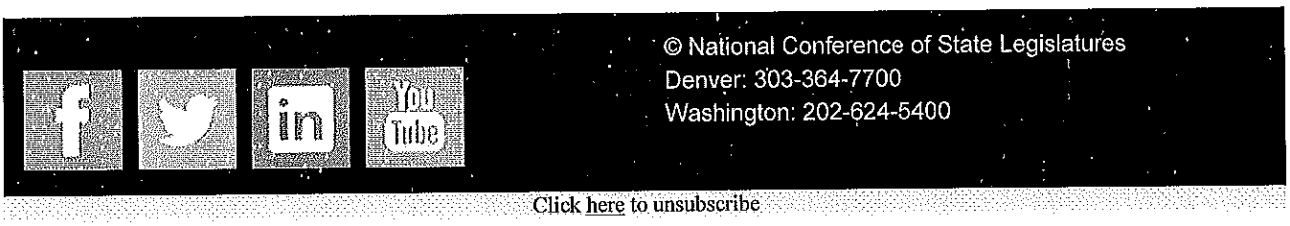
The U.S. Supreme Court held 5-4 in *Janus v. AFSCME* that state statutes allowing public sector employers and unions to agree that employees who don't join the union must still pay their

Commercial spaceports still waiting for liftoff

Stateline

Communities are eager to tap into the growing commercial space industry.

"fair share" of collective bargaining costs violate the First Amendment.

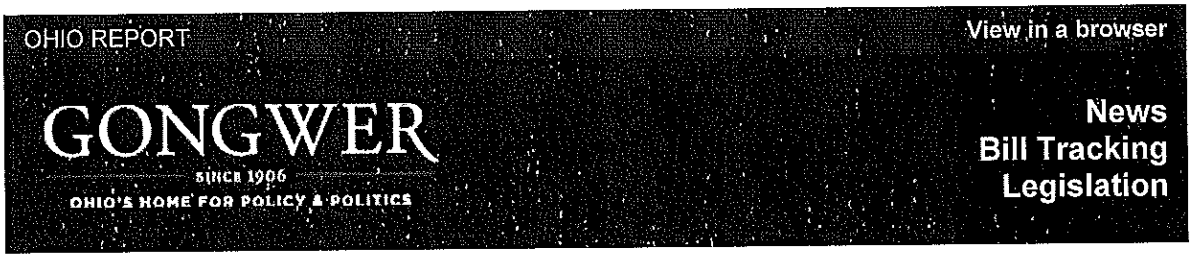


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Sent: Thursday, June 28, 2018 6:20 PM
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Attachments: Jun28.htm; Jun28House.htm; Jun28Senate.htm; 180628dayplan.htm; Jun29Schedule.htm



OHIO REPORT
THURSDAY, JUNE 28

Lawmakers Question Medicaid Officials Over Pharmacy Benefit Manager Spending

Leaders of Higher Ed Groups Pitch Increase In Need-Based Financial Aid

Medicaid Officials Detail Behavioral Health Integration 'Guardrails'

DeWine Announces Proposal To Expand Early Childhood, Foster Care Programs

Officials Ask State For Aid In Streamlining Adult Education Programs

House Issues Updated Session Schedule

Seitz Remains Defiant As Others Question Sexual Harassment Investigations

Environmental Groups' Reactions Vary To Lake Erie Funding Bill

OSMA Backs Brown; Taylor Elections Complaint Dropped; Latest Polling Shows Tight Governor Race...

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Volume #87, Report #125 -- Thursday, June 28, 2018

Lawmakers Question Medicaid Officials Over Pharmacy Benefit Manager Spending

An analysis showing pharmacy benefit managers received more than $223.7 million from Ohio's Medicaid program over 12 months is just a starting point as policymakers look at the issue, administration officials and lawmakers said Thursday.

Joint Medicaid Oversight Committee members stressed to Department of Medicaid officials the importance of addressing concerns about the industry and questioned whether the firms were receiving far more.

At the heart of the issue is the general lack of transparency throughout the prescription drug supply chain, said Patrick Stephan, director of managed care for ODM. (Presentation)

The state determined the spread between what PBMs were paid and what they paid pharmacies - about 8.8% - didn't warrant immediate regulatory action, but the department and managed care plans are looking at whether that is a good deal. (See Gongwer Ohio Report, June 21, 2018)

"We understand that there is always room for improvement and we want to work toward the best possible solutions," Mr. Stephan said. "If there are concerns here and we can get a better deal, that's what we want to do. We actually believe that the price transparency we have now sets us up for just that."

Simply having the knowledge of how much money the state is spending on PBMs provides an opportunity for a more competitive marketplace, he said.

Officials are gathering more information, in part by asking the state's five managed care plans to report back on any changes in light of the information, Medicaid Director Barbara Sears said. That could lead to changes in managed care contracts come Jan. 1.

Sen. Vernon Sykes (D-Akron) questioned the administration's assertion that the spread didn't warrant immediate action.

"This is just the attitude that seems to me to be callous and insensitive to the poor people that we are trying to serve," he said.

Director Sears said the department takes the issue very seriously, but that they don't have enough information to determine the proper next course of action.

"We perceive based on what we're looking at that that's a number that we should challenge," she said. "Our program cannot move on a dime without negatively impacting the very people that we need to serve and the providers that serve those folks."

"We believe that the answer that we're going to ultimately find is not there yet," she added. "I think that is good reason for pause."

Other concerns came from Sen. Bill Coley (R-Liberty Twp.), who said in his own presentation that the total PBMs receive through the Medicaid program likely exceeds $500 million.

Sen. Coley said the pharmacy spending spread is just one source of revenue for the industry, and one that weighs more heavily on generic drugs than for brand name drugs. The spread for generic drugs, he said, was nearly 30%.

Another significant component of PBMs' revenue comes through rebates, details of which administration officials said they did not have access to. Using information about cost increases from a previous ODM presentation, Sen. Coley said the rebates could total $287 million or more.

Asked after the meeting what kind of deal the state was getting with PBMs, Sen. Coley said: "Not a good one."

"We could do a lot better," he added.

ODM spokesman Tom Betti said in an email that Director Sears met with the senator after the meeting and is reviewing his presentation.

"We continue to share the legislature's frustration with the inability to follow the pricing structure from the beginning of the supply chain with the manufacturers and will seek input from all of the actors in the pharmaceutical supply chain and have asked the state's managed care plans to identify any changes they plan to make based on our recent report," Mr. Betti said. "Ohio Medicaid will take all of this into consideration when it sets managed care rates in November for calendar year 2019."

Sen. Coley also urged the department to release the full performance review report, of which only an executive summary was released last week. Mr. Betti said that report contains information that might be proprietary or contain trade secrets and the department is prohibited from releasing such information.

Sen. Dave Burke (R-Marysville) said the PBM issue is yet another example of the incentives created by a health care system that pays for services or, in this case, drugs, instead of looking at patient outcomes.

"I want to start paying for health, which generally correlates with drugs, but the incentive here is more drugs," said the lawmaker, who is a pharmacist by trade. "The study shows me that we pay for drugs."

Director Sears compared it to other programs where the system has moved toward paying for outcomes rather than services, such as comprehensive primary care and episode-based payments.

"This is a big shift," she said. "This is dramatic to providers. Pharmacy is one component of it that is lagging but needs to be thinking about it."

Rep. Mark Romanchuk (R-Mansfield) said it appeared the state could likely get a better deal than paying a PBM an average of $5.70 per prescription.

"There are a lot of different pricing models," Mr. Stephan said. "At this point we don't know. We are committed to moving in a direction that improves it."

Rep. Scott Ryan (R-Newark) said the state needs a better picture of the flow of money in the pharmacy program, and the lack of data from other states makes it difficult to pinpoint just if the state is getting a good deal.

"If we're the first state to really have data on spreads, how do we know that what we come up here with is reasonable or not reasonable?" he asked.

Director Sears said one reason the state didn't move to act immediately is because the overall growth of pharmacy spending has been below 2%.

"That doesn't mean that there aren't areas in the program that we can't improve," she said.

Leaders of Higher Ed Groups Pitch Increase In Need-Based Financial Aid

Representatives of the state's community colleges and public universities asked lawmakers to expand the size and scope of the Ohio College Opportunity Grant program Thursday in testimony before the Joint Committee on College Affordability.

The grants, which are the state's "main need-based aid program" for higher education, currently are not available to community college students, said Jack Hershey, president of the Ohio Association of Community Colleges. Excluding those students from the grant program, which is open to students who attend private and public universities, is counterproductive to the state's goal of achieving 65% degree or certificate attainment among working-age residents by 2025.

"It is our belief it is well past time to reboot this program, embed the latest research in financial aid best practices into OCOG, and align this program to the state's attainment goal to ensure that every low-income Ohioan has access to the same grant amount, regardless of where they choose to attend college," he said.

Mr. Hershey said it makes no sense to push the neediest students away from what is likely the most-affordable pathway to a degree by excluding community colleges from the program.

Bruce Johnson, president of the Inter-University Council of Ohio, said the state could make a big improvement in college affordability simply by increasing its spending on the grants. He said the state massively slashed funding for need-based financial aid about a decade ago and increased appropriations in subsequent years have not come close to making up the difference.

"Further funding is necessary to help the state's neediest students stay in school and earn a degree," he said.

The two officials also agreed that the state and its higher education institutions could find additional ways to help needy students recover from financial emergencies and stay in school.

"For the lower-income students, (financial emergencies) are really tragic and they can take them out of the system," Mr. Johnson said of such often unexpected events, which can be as simple as a flat tire or other car problem.

While he advocated for increased support from the state for universities and financial aid for students, Mr. Johnson spent a large portion of his testimony pushing back against the notion that college is unaffordable in the state and detailing efforts institutions have put toward constraining costs.

"Higher education is a smart investment for students," he said, adding that college can become unaffordable when students take classes for a time but do not graduate.

While Mr. Johnson did acknowledge he would like to see tuition prices fall, Rep Niraj Antani (R-Miamisburg) questioned whether he was trying to obscure the issue before the committee by pointing to the successes of certain groups of students and institutions.

"It's hard to solve a problem if the problem is not acknowledged," he said.

Along with pushing for more expansive need-based financial aid, Messrs. Hershey and Johnson said one way the state could make college more affordable for students is to fund efforts to prevent them from dropping out before earning their degrees.

Rep. Mike Duffey (R-Worthington) asked Mr. Hershey about the possibility of the state providing free community college for its residents.

Mr. Hershey said it's difficult for him to take a position on the idea because he does not know what type of program the state would implement to achieve such a goal. He said he's also seen other states "rush to free community college then pull back" after the effort proves too costly.

"We would want to make sure that it's a promise that wouldn't be broken," he said.

The committee, which met for the first time last month, is set to make recommendations to the General Assembly by the end of September. (See Gongwer Ohio Report, May 17, 2018)

Medicaid Officials Detail Behavioral Health Integration 'Guardrails'

The Department of Medicaid on Thursday laid out for lawmakers a set of safeguards designed to protect provider payments as the behavioral health system moves into managed care this weekend.

The planned and long-discussed July 1 carve-in has long prompted consternation from legislators and providers, who often operate on thin margins and worry about late payments or reimbursement reductions. (See Gongwer Ohio Report, June 18, 2018)

Medicaid officials detailed for members of the Joint Medicaid Oversight Committee the processes they and managed care plans have put in place to ease the transition. Those include eliminating a scheduled one-week payment delay for June, requiring plans to use the same coverage policies, and fee-for-service payment rates through June 30, 2019.

Plans will also be required to honor all prior authorizations approved by ODM before July 1, accept claims for at least 180 days after a service is provided, and administer cash flow contingency plans for at least four months.

"As plans begin the integration of behavioral health into their system and providers get used to working with the plans, we want to be sure that certain things stay common within that transition," Medicaid Director Barbara Sears said.

The five managed care plans also said in a letter to the committee that they will pay clean claims more quickly than the required rate of 90% in 30 days for the first six months of the change. In July, the plans said they will pay 90% of clean claims within seven days, changing to 14 days in August through October and 21 days in November and January.

The administration will also convene a working group of plans, providers and advocates to monitor and respond to problems that arise.

"We will be very, very diligent in addressing any issues, general or specific, as they arise," said Tracy Plouck, director of the Department of Mental Health and Addiction Services.

JMOC Chairman Sen. Dave Burke (R-Marysville) said the state has worked to hold the system together through the transition with "belt, suspenders, duct tape and super glue."

"I don't know what else we could do at this point short of not doing it," he said.

The administration has conducted readiness reviews with the individual plans to make sure providers would be able to bill through their IT systems, Patrick Stephan, ODM's director of managed care, told Rep. Mark Romanchuk (R-Mansfield).

"We do not by any stretch of the imagination feel that it's going to be smooth sailing," Mr. Stephan said. "I can tell you that, as we got through the process, we were confident to make a recommendation. And if a scenario would have presented itself that, for example, we were at a managed care plan and only 60% of the claims were adjudicating correctly, we would not be going live."

Sen. Vernon Sykes (D-Akron) said it would be helpful for the committee to hear from providers during the transition to receive direct input on the changes.

The committee also received a letter from one managed care plan, CareSource, detailing the steps it is taking to resolve issues that caused it to run afoul of prompt pay requirements. (See Gongwer Ohio Report, May 10, 2018)

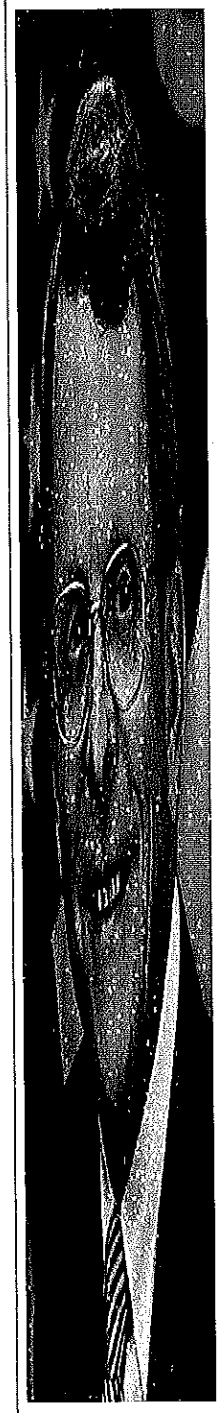
The plan, which is the largest of the five Medicaid plans, said in its letter that those prompt pay issues have not affected its readiness for July 1.

"CareSource recognizes the transition to an integrated benefit is a change to the business operations and finances of our valued providers," Steve Ringel, president of the Ohio market, wrote. "We are committed to supporting our health partners in this transition in a proactive way."

DeWine Announces Proposal To Expand Early Childhood, Foster Care Programs

Attorney General Mike DeWine is proposing to boost foster care funding and expand early childhood education if he ascends to the governor's office, according to policy planks the Republican unveiled Thursday.

But the campaign of Democratic hopeful Richard Cordray said the objectives Mr. DeWine rolled out only highlights what they see as his spotty track record on child issues.



Mike DeWine

Mr. DeWine rolled out his platform, which he called "Opportunity for Every Ohio Kid," at a Cleveland YWCA before hosting a similar press conference at a Columbus early

learning center. It's his first major policy announcement of the general election campaign.

"There's a reason we're starting with children and it goes to what our passion is, what we think is really, really important," Mr. DeWine said. "This is what I believe matters most to the future of our state and this is why I'm running for governor."

To expand early childhood education and drive up quality ratings, Mr. DeWine is proposed increasing annual funding from $250 million to $400 million. He would also seek to raise the eligibility level for publicly funded programs for working families from 130% the federal poverty level to 150%, which would cover an estimated 20,000 additional children.

He's calling as well for an additional $40 million a year for home visitation programs for at-risk, first-time mothers - an infusion he believes would increase participation from the current 10,000 families to 30,000. The campaign estimates only 4% of eligible families are currently reached by these services.

Also among his proposal is a top-down review of the foster care system along with the appointment of an ombudsman who will be empowered to investigate and publish findings stemming from complaints by caregivers, children and families.

Other facets of his plan include:

- Providing a mental health professional in every Ohio school.
- Working with the State School Board to implement age-appropriate drug prevention education for those in kindergarten through 12th grade.
- Instructing the director of the Department of Health to prioritize lead paint abatement and boost collaboration with county health departments to that end, and the directors of the departments of Agriculture, Health and Education to prioritize nutrition efforts.

To oversee these programs and more, the gubernatorial hopeful is proposing to create a director of children's initiatives who would report to the governor and coordinate children's programs across all state agencies.

Secretary of State Jon Husted, Mr. DeWine's running mate, said the attorney general has a history of supporting children both in Congress and statewide office. In his current role, that includes creating the Crimes Against Children Unit and a child welfare task force, Mr. Husted said.

"His entire public career has been highlighted by his efforts to help children," said Mr. Husted, calling the platform the "most important" of the campaign.

Democrats pushed back on that line of thinking. Betty Sutton, Mr. Cordray's running mate, said the Republican nominee has a track record of "supporting policies that sadly hurt children's healthcare and education."

She accused him of standing by while ECOT operators took dollars from the state and of seeking to eliminate Medicaid expansion, which estimates show may strip healthcare from 26,000 children.

"Mike DeWine's priority has always been the special interests...sadly not our kids and not our public schools," Ms. Sutton said. "Mike DeWine may talk a big game on the campaign trail but he's consistently worked against (children's) interests."

The Ohio Democratic Party agreed in its own statement, with spokeswoman Robyn Patterson opining that "Mike DeWine has spent his 42-year tenure in public office opposing increased education funding and attacking programs that provide health insurance to kids."

Ms. Sutton cited Mr. Cordray's commitment to continuing Medicaid expansion as an example of his commitment to young Ohioans. His platform also includes the establishment of universal preschool funded through private and public partnerships and the creation of a statewide Commission on Women & Girls to address gender inequities among all age groups.

But Mr. DeWine framed his approach as a comprehensive plan to counteract the familial struggles, food insecurity and other issues facing Ohio's youth.

"The sad truth is that unless there's some intervention, the vast majority of these children will not live the American dream and will be economically dependent on others throughout their lifetime," Mr. DeWine said. "We need to protect these kids and give them the chance to succeed."

Angela Sausser, executive director of the Public Children Services Association, welcomed Mr. DeWine's focus on the foster care system.

"Ohio remains last in the nation in the state share of child welfare funding, and while we deeply appreciate the legislature's investment in the state budget last year, we continue to rely more heavily on local dollars to pay costs than any other state," Ms. Sausser said. "We desperately need more foster homes so that children who come into custody can remain close to their home community."

And the Ohio Children's Hospital Association similarly said its members were "encouraged" by the candidate's remarks.

"We particularly appreciate the recommendation of elevating child initiatives to a cabinet level position and an increased focus on pediatric mental health as discussed today," CEO Nick Lashutka said in a statement. "We also believe investing in increased home visiting services for at-risk new mothers, foster-care system improvements and providing

early child care can be important factors in addressing the social determinants of health, which can impact nearly every aspect of a child's development."

Mr. DeWine did not take questions from the press following his Columbus appearance.

Officials Ask State For Aid In Streamlining Adult Education Programs

Adult education professionals suggested to members of the Joint Education Oversight Committee Thursday that increased funding for alternative-graduation programs and expanded access to the state's graduation tests could assist the hundreds of thousands of Ohio residents without a high school diploma.

Rep. John Patterson (D-Jefferson) said he was spurred to call for the discussion after learning about 700,000 adults in the state who do not have a diploma or its equivalent. He said the state needs help push both traditional K-12 students and adults to graduate "if we truly are going to move ahead and regain our position of prominence in a 21st century world."

Connie Shriver, coordinator of career and academic readiness education at Mid-East Career and Technology Centers, said the state has made positive steps by opening multiple pathways toward a diploma or its equivalent for adults. She said students can complete one of three equivalence tests, pass the WorkKeys Test and earn an in-demand credential or earn a local diploma by completing their high school credits and exams through the 22+ Adult High School Diploma Program.

Ms. Shriver said the state could market the alternative pathways to get more people involved, as GED and other adult-learning terms sometimes have negative connotations.

Lack of reliable transportation, Ms. Shriver said, is one barrier to earning a diploma for many adult learners, especially in rural areas. She said the state also funds some programs based on whether a student completes his high school education, not whether an entity offers service to the learner.

This put strain on service providers, especially because adult students frequently start and stop participating in programs multiple times, she said.

"There's a lot of work that's going into it on the front end," she said.

Greg Harp, vice president of Graduation Alliance, a firm that partners with government entities to teach adult students online, said the state could also help adults earn their diplomas by allowing them to take OGTs online and increasing funding for the 22+ program.

Mary Murphy, manager of adult success initiatives at Lorain County Community College, said she agrees it's "really weird" to send adults into high school buildings to take the OGTs. She said the state should consider offering them at testing centers if not online.

All three speakers also stressed the need for the state to give guidance to local school districts on how to issue transcripts and diplomas for adult learners.

It can be difficult for an adult to verify their graduation status without an official document from a school district, Murphy said.

"Transcripts are what your employer wants," she said.

Both Mr. Harp and Ms. Shriver agreed that the quality of transcripts and the timeliness in which they arrive can vary widely.

"The state of transcripts coming from our K-12 schools is deplorable," Ms. Shriver said. "We have gotten official transcripts on a Post-it note."

Ms. Shriver also discussed the federally- and state-funded Aspire program, which she called the "best-kept secret" for aiding adult learners. The initiative, which is available in every county in the state, offers students basic math, reading and writing skills and prepares them for equivalence tests.

Rep. Andy Brenner (R-Powell) said he takes issue with what he views as a low success rate for Aspire. He cited a document on the Department of Higher Education's website showing about 8% of the program's participants earned a GED last year and negatively compared it to the Electronic Classroom of Tomorrow's graduation rate of about 39%.

"Why should we keep this program going and not just junk it and put (its state funding) into something else," he said.

Ms. Shriver said Aspire students, unlike ECOT students, do not have the luxury of attending other schools if the program goes away.

"If Aspire closes, there is nothing else to help adults," she said.

Ms. Shriver said Rep. Brenner also failed to note the number of students who graduate through other pathways or simply see improvement after entering the program with seriously deficient skills.

"There are successes that are happening beyond the actual completion," she said.

Ms. Murphy said she also viewed it as unfair to compare the Aspire program with a K-12 school, adding "we really are working with the challenged of the challenged."

"Where do you think ECOT dropouts go?" she said. "Us."

The panel also received a presentation from the Department of Education and the Department of Job and Family Services on early childhood programs.

Kara Wente, deputy director of family assistance at DJFS, and Wendy Grove, director for early learning and school readiness at ODE, highlighted some of the ways in which the state has worked to ensure children in poverty or those with disability are prepared for kindergarten.

Thanks to a federal grant of $70 million received in 2011, the state has been able to triple the number of early childhood education grants, according to Ms. Gove.

That program serves slightly less than 16,000 children at a cost of $73 million. The Preschool Special Education program has an enrollment of more than 20,000 children at a cost of $122 million.

House Issues Updated Session Schedule

House Speaker Ryan Smith issued a session schedule for the second half of the year on Thursday that calls for the chamber to potentially return to Columbus on September 19.

In all, the House is scheduled for up to 12 session days between now and the end of the year. Five of those scheduled session days are identified as "if needed" sessions.

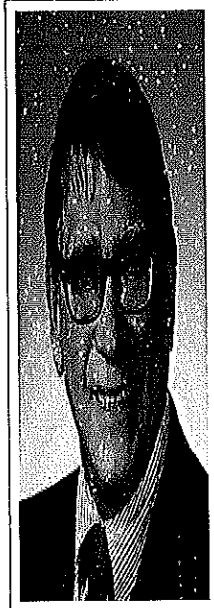
The two if-needed dates for September are on the 19th and 20th, followed by four potential days in November and six potential days in December.

The Senate issued its session schedule for the second half of the year on Wednesday, and that calendar set the stage for potential session day as soon as July 10. (See Gongwer Ohio Report, June 27, 2018)

Seitz Remains Defiant As Others Question Sexual Harassment Investigations

A House Democrat and a group that has been highly critical of Rep. Bill Seitz are calling into question the investigation that cleared him of sexual harassment allegations.

But the Cincinnati Republican said the complaints about the investigation are politically motivated.



Bill Seitz

"This is just the latest baseless attempt to prolong a bogus story," he said in an email.

The investigation stems from a January roast for outgoing House Republican Chief of Staff Mike Dittoe. During the event, Rep. Seitz made a joke that referenced Rep. Candice Keller (R-Middletown) and former Rep. Diana Fessler. (See Gongwer Ohio Report, January 26, 2018)

He also made light of a sexual harassment scandal that resulted in the resignation of former Sen. Cliff Hite and a sexual encounter in the Riffe Center that led former Rep. Wes Goodman to give up his seat.

In the wake of the remarks, several Democratic lawmakers called on Rep. Seitz to resign. (See Gongwer Ohio Report, February 1, 2018)

However, an investigation conducted by Taft Stettinius & Hollister cleared the lawmaker of sexual harassment.

But Rep. Michele Lepore-Hagan (D-Youngstown) claims the investigation was tainted due to the fact that Rep. Seitz worked at the law firm for 36 years.

"I refuse to believe that, in a city with hundreds of law firms, Taft Stettinius & Hollister was the only one qualified to conduct this investigation," she said in a statement.

Rep. Lepore-Hagan was also critical of the substance of the investigation, saying just three interviews were conducted, one involving Rep. Seitz. Two other people present at the event were also interviewed.

"Refusing to aggressively pursue all the allegations related to sexual harassment in the House, interviewing only two of the more than 100 people who attended the event where Rep. Seitz degraded women, and then burying the report makes it clear that the leadership of the House and (Attorney General Mike DeWine) wanted to whitewash this particular incident," she said.

"I and many of my colleagues are simply not prepared to allow the 'boys will be boys' atmosphere that exists in the General Assembly to continue. We're going to hold the people who are perpetuating this toxic environment accountable for their actions."

Dan Tierney, a spokesman for AG DeWine, said the office will be responding to Rep. Lepore-Hagan with a letter of its own. He denied any accusation of mal intent, but did add that the office relies on law firms to conduct their own conflict checks.

"We're displeased that they didn't inform us of the situation regarding Rep. Seitz's past employment," he said of the law firm.

The Checks & Balances Project, which has been targeting Rep. Seitz on energy policy and other issues, also lodged a complaint with the Ethics Commission against the law firm, alleging it failed to disclose its conflicts of interest.

"The special counsel's investigation speaks more to an effort to avoid any questions about the House's culture of sexual harassment and the role of Bill Seitz," the complaint reads. "A firm without the same conflicts may have reached another conclusion."

Rep. Seitz, though, said that no matter what law firm conducted the probe, the original complaint would have been dismissed given that it was filed anonymously by someone not present at the event whose knowledge of the comments was derived from a blog post. He described it as "hearsay upon hearsay."

He further added that once the identity of the anonymous complainant came to be known, she refused to be interviewed.

"To this day, no one who actually attended the roast has complained to the House, the investigators, or to me about the comments made by me at the roast," said Rep. Seitz, who resigned from the law firm in 2014.

Given those circumstance, Rep. Seitz called for an investigation into the original complainant - "Miss Anonymous" - and Scott Peterson - "some non-Ohio resident of Arlington, Virginia who is hiding behind his dark money envirosocialist funders" - who filed the Ethics Commission complaint.

Brad Miller, spokesman for the House Republicans, also defended the investigation. He said in an email that the lower chamber has utilized the services of the law firm since 2016 after it was recommended by the attorney general's office. In that time it has assisted in nine investigations.

"Aside from the fact that Rep. Seitz has not been affiliated with Taft since 2014, out of an abundance of caution the House did inquire about any potential conflict of interest in this particular case. Taft informed the Ohio House that there was not after performing its own internal conflicts check, as is standard before agreeing to any representation of a client," he said in an email.

"Finally, due to this complaint being filed by an anonymous source, the former speaker's office felt it was imperative to move quickly on the matter and to seek a resolution expeditiously. Therefore, it made sense to continue using the same resource that had been used for the past two years and whose services have been invaluable in ensuring a thorough review of these types of investigations."

Environmental Groups' Reactions Vary To Lake Erie Funding Bill

The Ohio Environmental Council is pushing for Gov. John Kasich to quickly sign legislation to boost Lake Erie funding.

But a group of lake-area citizens continues pressing lawmakers and the administration for more decisive action against phosphorus runoff fueling harmful algal blooms.

The measure (SB 299) was among a slew of bills that emerged from the General Assembly after marathon sessions in both chambers Wednesday. (See Gongwer Ohio Report, June 27, 2018)

In addition to an array of other funding amendments added in its final days, the bulk of the measure includes items like appropriations of $20 million to the Soil and Water Phosphorus Program and $3.5 million to the Department of Agriculture for soil and water conservation districts.

"Many of the provisions in this funding package will provide needed resources to help combat harmful algal blooms in the short term," said Peter Bucher, water resources director for the Ohio Environmental Council Action Fund.

The OEC and other environmental groups rallied in support of the measure and its House companion (HB 643). But Mr. Bucher said efforts must continue to improve water quality in the lake.

"Comprehensive nutrient management plans must be implemented across Ohio to reduce the nutrients entering our waterways," he continued. "We hope Gov. Kasich will sign this funding measure then begin a stakeholder discussion around a long-term comprehensive nutrient management strategy that will finally solve this critical issue plaguing Ohio's waterways."

Advocates for a Clean Lake Erie, a Toledo group which has been vocal on the issue to the point of suing the U.S. Environmental Protection Agency over its oversight of the lake, is less thrilled at the measure.

"The lion's share -- two-thirds -- of the misnamed 'Clean Lake 2020's' $36 million is going to so-called 'best management practices' that have an uninterrupted track record of failure for dealing with the excess nutrients that cause the lake to go toxic every summer," said Mike Ferner, the group's coordinator. "And what's worse is Gov. Kasich and his Ohio EPA will use this legislation to keep avoiding a real cleanup with real accountability for polluters, under the provisions of the Clean Water Act."

OEPA has proposed omnibus legislation to take a more aggressive approach, although lawmakers have been unwilling to embrace it. Rep. Steven Arndt (R-Port Clinton) continues his work to develop a more scaled-down version of that proposal, even as Gov. Kasich is prepping his own executive action on the issue. (See Gongwer Ohio Report, May 31, 2018)

Meanwhile, Rep. Arndt and Rep. John Patterson (D-Jefferson), who sponsored HB643, praised SB299's passage in statements Thursday.

"I was happy to vote in support of this legislation, which is the product of many hours of hard work between myself, Sen. Gardner, and stakeholders from the agriculture, environmental and manufacturing communities," Rep. Arndt said. "Lake Erie is one of Ohio's most precious resources and it is our responsibility to protect it, not only for ourselves, but most importantly for our children and grandchildren."

Added Rep. Patterson: "Senate Bill 299 is a piece of legislation that reflects our intent to be good stewards of the land and water while, prudently and simultaneously, using these resources to promote economic development. As one who represents a district that is tied to the lake, with a diverse agricultural economy dependent of the lake, I am honored to support this legislation and enthusiastic passage."

OSMA Backs Brown; Taylor Elections Complaint Dropped; Latest Polling Shows Tight Governor Race...

Citing his support for Medicaid expansion and reversing Medicare payment cuts, along with his efforts to tackle the opioid crisis, the Ohio State Medical Association announced Thursday it is backing U.S. Sen. Sherrod Brown in his re-election bid.

Marvin Rorick, chair of OSMA's PAC, said in a statement the Cleveland Democrat has a "long record of serving physicians and their patients."

"In his dozen years representing Ohio thus far, he has established himself as a sympathetic and effective supporter of health care access for all," he said. "Senator Brown is very experienced and has influential committee seniority, which is beneficial to Ohio."

Sen. Brown, who faces U.S. Rep. Jim Renacci (R-Alliance) in the fall election, welcomed the group's backing. OSMA was neutral in his last race for the Senate and backed GOP U.S. Sen. Rob Portman's successful 2016 bid.

"Working with and learning from Ohio physicians are important aspects of my job in the Senate - whether we are working to improve Medicare so it works better for physicians, or giving doctors the ability to treat more patients struggling with addiction," he said.

Latest Polling: A NBC News/Marist Poll released this week found Sen Brown holding a sizeable lead in his re-election bid while Attorney General Mike DeWine clings to a lead inside the margin of error in his effort to keep the governorship in Republican hands.

The Cleveland Democrat leads U.S. Rep. Jim Renacci (R-Alliance) 51-38%, the poll found. However, it also determined that nearly one-fourth of voters - 24% - are persuadable.

In the gubernatorial contest Mr. DeWine besting Richard Cordray 46-42%, according to the data. That lead, however, is inside the margin of error of 4.4%.

Elections Commission: An Elections Commission case filed against Lt. Gov. Mary Taylor was officially closed Thursday.

After Rep. Mike Duffey (R-Worthington) withdrew the complaint, the panel followed suit, taking no action.

Rep. Duffey alleged that Ms. Taylor's husband, Donzell Taylor, made an illegal contribution to the campaign in the form of $3 million that was listed as a loan in Ms. Taylor's year-end filing.

O'Connor Campaign: Franklin County Recorder Danny O'Connor, the Democrat vying to replace former U.S. Rep. Pat Tiberi, is out with a new television ad.

The congressional hopeful also announced that he will not accept campaign donation from corporate PACs saying in a statement that "no one should be able to pick up the phone and swing a vote just because they donated to a campaign."

Mr. O'Connor's new TV ad focused on the issue of health care, saying his mother was able to beat a cancer diagnosis because of access to a new drug.

"When I think of people who don't have that access, it ticks me off" he says in the 30-second spot. "It should not depend on your resources to get the lifesaving care that you need."

Gongwer Email Delivery Changes Upcoming

To provide subscribers more complete, updated and accurate news and information, Gongwer News Service will be ending the use of attached files in emails to deliver the *Ohio Report* and other services this summer.

Rather than opening attachments that cannot be updated after they are produced, subscribers will access Gongwer content by clicking on the links included in emails and text messages, or directly through the Gongwer website.

The change, which resolves issues created by software updates, spam filters and Internet service providers, will enhance security and speed delivery of Gongwer's products to all subscribers.

Scheduled to take effect on July 16, the adjustment also sets the stage for Gongwer to further enhance content delivered to subscribers.

The transition away from attachments will also give users an optimized viewing experience regardless of the device they are using. Additionally, all resources available online are formatted for easy printing.

For the large majority of users who already access Gongwer resources through the website, this will represent no change.

Those who currently view Gongwer content through attachments will need to login to the Gongwer website, where user credentials can be saved.

Any subscriber who needs to retrieve their login information can do so by entering the email address where Gongwer services are delivered in the Forgot Password box at this location.

Due to the customizable nature of Gongwer's services, each user who receives Gongwer content should have her or his own login information.

To add additional users, or for questions about this change, subscribers may contact Gongwer at gongwer@gongwer-oh.com or 614.221.1992.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Governor's Appointments

Broadcast Educational Media Commission: Jan L. Osborn, PhD of Pandora (Putnam Co.) was reappointed for a term beginning July 1 and ending June 30, 2022.

State Board of Psychology: Elaine Motylinski of Gates Mills (Cuyahoga Co.) for a term beginning June 28 and ending Oct. 4, 2022.

Ohio History Connection Board of Trustees: Betty Yopko Weibel of Chagrin Falls (Geauga Co.) and Michael G. Rapp, PhD of Blue Ash (Hamilton Co.) were reappointed for terms beginning June 28 and ending June 26, 2021.

Ohio Historic Site Preservation Advisory Board: Nathaniel Kaelin, AICP of Columbus (Franklin Co.) and W. Alex Wesaw, PhD of Columbus (Franklin Co.) for terms beginning June 28 and ending Jan. 14, 2021; and Timothy G. Anderson of Athens (Athens Co.) for a term beginning June 28 and ending Jan. 14, 2019.

Supplemental Event Planner

Thursday, July 19

ALEC Annual Meeting, Denver

Friday, July 20

ALEC Annual Meeting, Denver

Saturday, July 21

ALEC Annual Meeting, Denver

Monday, July 30 - Thursday, August 2

NCSL Legislative Summit, Los Angeles

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House Activity for Thursday, June 28, 2018

DELIVERED TO THE GOVERNOR

HB 8 **RECORDS EXEMPTION** (Hambley, S., Rezabek, J.) To exempt from the Public Records Law certain information concerning a minor that is included in a record related to a traffic accident involving a school vehicle in which the minor was an occupant at the time of the accident, to allow the parent or guardian of the minor to request a record of the accident containing the exempted information, and to exempt certain protected health information from the Public Records Law.

HB 21 **COMMUNITY SCHOOLS** (Hambley, S.) To make changes regarding the verification of community school enrollments, to prescribe an annual public comment period for the community school sponsor evaluation system, to exempt certain chartered nonpublic schools from state testing and graduation requirements, to prescribe a one-year moratorium on the building code requirement for schools to have storm shelters, to eliminate the current Education Management Information System (EMIS) Advisory Board, and to require the Department of Education to establish a new EMIS Advisory Council.

HB 111 **MENTAL HEALTH COMMITMENTS** (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses (APRNs) to have a person involuntarily transported to a hospital for a mental health examination; to modify APRN standard care arrangement requirements; to clarify APRN license application requirements; to grandfather certain APRNs from meeting educational and examination requirements for licensure; to reduce the pre-examination practice requirement for certain dialysis technician applicants; to make changes in the laws administered by the State Medical Board, including those related to physician training certificates and limited permits to practice respiratory care; to coordinate procedures for investigating Respiratory Care Law violations with procedures governing State Medical Board investigations; to make changes relating to physician assistant supervision agreements; to authorize a board of county hospital trustees of a charter county hospital to have hospital facilities in a county contiguous to any charter county; to establish a biennial license renewal system for orthotists, prosthetists, and pedorthists; to modify an allocation to children's crisis care facilities; to require certification of certain addiction services; to modify the requirements for

licensure of methadone treatment programs and to require licensure of other opioid treatment programs; to repeal sections 5119.367, 5119.391, and 5119.392 of the Revised Code twelve months after the effective date of this act; and to declare an emergency.

HB 133 **DISASTER WORK** (Ryan, S.) To create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster and to modify the interest penalty for late payments of estimated income taxes.

HB 159 **MONTH DESIGNATION** (Riedel, C.) To designate May as "Drive Ohio Byways Month" and to incrementally increase the required contribution for Fraternal Order of Police license plates.

HB 225 **OIL GAS WELLS** (Thompson, A.) To modify the law governing idle and orphaned oil and gas wells and to make additional appropriations.

HB 229 **DAY DESIGNATION** (Romanchuk, M., Wiggam, S.) To designate February 3 as "Charles Follis Day."

HB 332 **ANATOMICAL GIFTS** (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability.

HB 366 **CHILD SUPPORT** (Gavarone, T.) To make changes to the laws governing child support.

HB 438 **ESC BOARDS** (Hambley, S., Kick, D.) To permit the addition of appointed members to educational service center boards, to permit a local school district to sever its territory from one educational service center and annex that territory to an adjacent service center under specified conditions, and to authorize educational service centers to establish local professional development committees.

HB 506 **DOG BREEDERS** (Hill, B.) To revise the law governing high volume dog breeders and other dog-related professionals and facilities.

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Senate Activity for Thursday, June 28, 2018

DELIVERED TO THE GOVERNOR

SB 4 **HUMAN TRAFFICKING** (Kunze, S., Oelslager, S.) To allow a person who is found not guilty of an offense or who is the defendant named in a dismissed criminal charge to apply for a court order to expunge the person's official records in the case if the charge or not guilty finding was the result of the applicant having been a human trafficking victim, to allow a person convicted of certain prostitution-related offenses to apply for the expungement of the conviction record of any offense, other than a specified disqualifying offense, the person's participation in which was a result of having been a human trafficking victim, and to allow intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.

SB 139 **LEGAL MATERIALS** (Skindell, M., Eklund, J.) To adopt the Uniform Electronic Legal Material Act.

SB 163 **COUNTY INVESTMENTS** (Wilson, S.) To modify the qualifications regarding notes eligible for investment of county inactive moneys.

SB 257 **SPORTING LICENSURE** (Uecker, J., O'Brien, S.) To make changes to the laws governing hunting and fishing.

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Daily Activity Planner for Friday, June 29

Legislative Committees

No legislative committees scheduled.

Agency Calendar

No agency meetings scheduled.

Event Planner

No events scheduled.

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Legislative Committee Schedules beginning 6/29/2018

Tuesday, July 10

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 11 a.m.

- **If needed**

Thursday, July 12

Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.
Managed Long-Term Services and Supports Study Committee (Chr. Burke, D., 000-0467), Senate Finance Hearing Rm., 10 a.m.

- **Providers and consumers of MyCare services will be invited to share their perspectives on MyCare Ohio along with Q & A (100 minutes); Quality Measures Data from Department of Medicaid (20 minutes)**

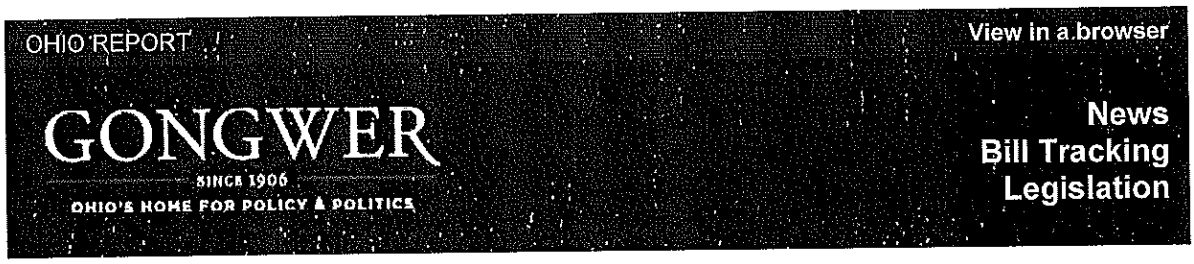
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Sent: Friday, June 29, 2018 6:07 PM
To: Sarko, Alyssa
Subject: Ohio Report, Friday, June 29, 2018
Attachments: Jun29.htm; Jun29House.htm; Jun29Senate.htm; 180629dayplan.htm; 180629plan.htm



OHIO REPORT
FRIDAY, JUNE 29

Bill Signing Marks Expected End Of 'Puppy Mill' Amendment Push; 14 Others Inked

Obhof Commits To Pursuing More Funding For Ohio Ports

Medical Marijuana Grower Gets OK To Plant; Commerce Awards Testing Licenses

High Court Strikes Down Appointment Of Guardian Ad Litem In Pending Divorce Case

State Auditor: Reports Find Savings For Schools, Analyze Opiate Use In Medicaid

Group Advocates New Tax Bracket For High Earners

BWC To Expand Safety Grant Program; Enforcement Actions Announced

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Volume #87, Report #126 -- Friday, June 29, 2018

Bill Signing Marks Expected End Of 'Puppy Mill' Amendment Push; 14 Others Inked

Gov. John Kasich's signing of legislation Friday to impose stricter regulations on high-volume dog breeders has likely ended an effort to advance a statewide ballot issue on the topic.

The measure (HB 506), which sets new standards dealing with sustenance, housing, veterinarian care, exercise and human interaction for dogs bred for sale, was one of 15 pieces of legislation signed by the governor Friday after lengthy House and Senate sessions earlier this week.

The Senate Agriculture Committee last month adopted a slew of amendments to the legislation that resulted from a compromise between animal advocacy organizations and groups representing dog breeders. As a result of the agreement, the coalition behind the Ohio Puppy Mill Prevention Amendment agreed to drop its ballot issue campaign when the governor signed the measure. (See Gongwer Ohio Report, May 25, 2018)

Before the compromise was struck, animal advocates criticized the measure as overly vague and potentially ineffective. Even after the committee accepted the agreed upon amendments, the groups behind the ballot issue campaign said they would continue to collect signatures until the law earned the governor's approval.

The governor also signed a bill (SB 4) that expands the list of offenses that can be expunged at the request of former victims of human trafficking. The measure passed by a vote of 79-12 last week in the House despite concerns by some members that the measure did not give judges or prosecutors enough leeway to ask victims for information about the people who trafficked them. (See Gongwer Ohio Report, June 20, 2018)

Among other bills signed into law was a measure (HB 225) that creates a process to deal with orphan natural gas wells. The Senate passed the bill last month after its Energy & Natural Resources Committee decreased the percentage of revenue from the Oil and Gas Well Fund required for plugging wells from 45% to 35%, among other changes. (See Gongwer Ohio Report, May 23, 2018)

Legislation (SB 257) making several changes to the state's rules for hunting and fishing licenses also was signed into law.

The measure allows residents to purchase multiyear and lifetime licenses, and allows the Ohio Department of Natural Resources to offer combination packages of licenses to residents at a discounted rate. The bill also includes a provision lowering fees for youth hunters who live outside the state, among other changes. (See Gongwer Ohio Report, May 15, 2018)

Other measures receiving the governor's signature on Friday will:

- Allow certain registered nurses to involuntarily commit a patient to a hospital for a mental health exam (HB 111).
- Revise the state's child support laws (HB 366).
- Exempt some information about children from public records law involving school vehicle crashes (HB 8)
- Make changes to the verification process for enrollment at charter schools (HB 21).
- Exempt certain out-of-state businesses and employees from some laws and taxes during their work on disaster-related infrastructure projects (HB 133).
- Designate May as "Drive Ohio Byways Month" (HB 159).
- Ensure people with disabilities will not be denied transplants (HB 332).
- Designate Feb. 3 as "Charles Follis Day" (HB 229).
- Make multiple changes to state law regarding educational service centers (HB 438).
- Adopt the Uniform Electronic Legal Material Act (SB 139).
- Change the regulations related to the investment of county inactive moneys (SB 163).

Obhof Commits To Pursuing More Funding For Ohio Ports

Senate President Larry Obhof plans to resurrect vetoed budget language to boost funding for Ohio's maritime ports.

During a floor speech in the closing minutes of the chamber's Wednesday session, Sen. Obhof (R-Medina) emphasized that although the language failed to materialize in time for inclusion in a wide-ranging Lake Erie funding bill (SB 299) passed this week, he expects the proposal to reemerge later this year.

"I just wanted to make sure the senators who worked on that issue knew that just because we did a bill about Lake Erie and it did include some spending, we didn't forget about that issue," he said in an interview. "We are working on it. We will find a vehicle for that sometime this year."

Sen. Sandra Williams (D-Cleveland) had offered the amendment for inclusion in SB299, but Sen. Obhof said it was provided "a little too late in the process."

Sen. Obhof said the change is similar to proposed budget language that would have established a Maritime Assistance Program through the Department of Transportation. That proposal earmarked $4 million for the effort.

But the provision was among 45 others that Gov. John Kasich struck from the budget (HB 49[redacted]) due to a then pending statewide assessment ODOT was conducting of the state's maritime assets. Given the ongoing study, Gov. Kasich called it "premature to begin funding maritime projects without the advantage of this study's data." (See Gongwer Ohio Report, June 30, 2017)

The study has since been completed along with a series of working papers and fashioned into a 30-page Ohio Maritime Strategy document issued in April. The proposal recommends six focus areas, and would prioritize state investment to public ports and general purpose terminals as well as projects addressing long term and future market needs or with strong private sector and local government matching contributions.

Other objectives include:

- Improving access to existing funding programs and agencies to bolster maritime performance.
- Maintaining ODOT as the key point of contact for stakeholders in the maritime community.
- Engaging with federal stakeholders to remove institutional barriers.
- Promoting the maritime transportation system through collaboration with JobsOhio and other economic development agencies.

"The maritime option in Ohio needs to be protected and made as competitive as possible, given its economic importance to the state," reads the strategy document. "Near term focus should be on enabling better connectivity where maritime provides a competitive advantage and is in line with market needs. Implementation of these six strategies will enhance the use of Ohio's MTS in supporting state economic development objectives."

Sen. Obhof said the chamber likely would have overridden the veto had it been included in the list of overrides forwarded from the House. But now that the study is complete, he's hoping the administration is more favorable toward the measure.

"I think now that we're another year down the path we're at the point where, OK, let's take a look at the results (of the study) and what we can do," he said. "We'll find a place for that issue."

Medical Marijuana Grower Gets OK To Plant; Commerce Awards Testing Licenses

Two Ohio colleges received provisional licenses to serve as the state's first medical marijuana testing facilities Friday, and the first cultivator got the go-ahead to start growing plants, the Department of Commerce announced.

Both Hocking College and Central State University, the only two public institutions of higher education to apply for licenses to test marijuana, were awarded provisional licenses to serve as testing facilities, DOC spokeswoman Stephanie Gostomski said.

FN Group Holdings LLC, doing business as Wellspring Fields, also received the green light to start growing marijuana after receiving a certificate of operations.

The cultivator, one of the smaller Level II growers limited to 3,000 square feet of growing area, is the first to be cleared to start planting seeds.

It can take 16 to 22 weeks to grow marijuana, and just because the cultivator received a certificate to operate, does not mean they will start growing right away, Ms. Gostomski said.

Two other growers had inspections in June and are working through the process before receiving certificates of operation, Ms. Gostomski said. Seven more provisional cultivator license holders have inspections set for July, she said. (Inspection List)

The DOC has yet to award licenses for processors.

High Court Strikes Down Appointment Of Guardian Ad Litem In Pending Divorce Case

A court violated the due process rights of a woman going through divorce proceedings when it appointed a guardian ad litem without notification or a hearing, the Ohio Supreme Court ruled this week.

Writing for the majority, Justice Patrick Fischer also found - in a "narrow and limited holding" - that the appointment was a final appealable order, overturning an Eighth District Court of Appeals ruling.

The case stems from the appointment of a GAL for Carol Thomasson by the Cuyahoga County Domestic Relations Court, the high court's media arm reported.

"Divorce settlements often involve negotiation and agreement regarding the distribution of marital assets," Justice Fischer wrote in the majority's decision. "If left undisturbed, the trial court's order treating Carol as though she had been adjudicated incompetent would deprive her of autonomy during negotiations. Indeed, a settlement could be negotiated without Carol's independent agreement."

Justice Fischer also deemed the appointment of the GAL to be a final appealable order, calling it a "unique case."

"In addition, negotiation often involves tactics and a careful and selective exchange of information," he wrote. "The tactics used and information revealed by Carol's GAL could not be clawed back - much in the same way that the revelation of confidential information cannot be undone."

Chief Justice Maureen O'Connor, Justice Terrence O'Donnell and Justice Judith French joined Justice Fischer's opinion. Also joining was Sixth District Court of Appeals Judge Mark Pietrykowski, sitting for former Justice Bill O'Neill.

In a dissenting opinion, Justice Patrick DeWine wrote that the court should have waited until the divorce proceedings concluded before addressing the issues raised.

"The majority is eager to decide this case now," he wrote. "I understand that. If we had jurisdiction to do so, I would like to decide it today as well. But under our Constitution and precedent, we lack jurisdiction. Though it may be temporarily inconvenient, I would adhere to the bounds placed on our authority rather than succumb to the temptation to expand those boundaries for the expediency of immediately deciding this one case."

However, Chief Justice O'Connor in a concurring opinion said the stakes are too high in the case to not address the issues raised.

"The dissent ignores the practical reality of this strange scenario," she wrote. "This case does not present a law-school hypothetical devoid of consequence. The decision to appoint a GAL when one has not been shown to be necessary has both personal and social consequences, not to mention the legal ramifications. The task before us requires that we understand the impact on Thomasson should she be unable to immediately appeal."

Justice Sharon Kennedy concurred in judgement only, finding they court did not need to address the constitutional issue raised because the law is clear.

State Auditor: Reports Find Savings For Schools, Analyze Opiate Use In Medicaid

A pair of performance audits for local school districts and a look at the effect of the drug crisis on the Medicaid system were among a slew of reports released this week by State Auditor Dave Yost.

The auditor also released findings from several local government audits and commented on the passage of new restrictions on local government credit card use.



Dave Yost

One performance audit found the Belpre City School District in Washington County could save $641,400 per year on recommendations that include the elimination of the equivalent of nine staff positions and temporary summer custodians.

The district's financial condition, including a $5.4 million projected deficit in Fiscal Year 2022, prompted the audit, he said. The district renegotiated health care benefits, reducing the projected deficit to $3.1 million, and passed an emergency levy that generated a projected surplus of nearly $1 million.

With the auditor's recommendations, he said the district could have a fund balance of more than $3.5 million in 2022.

"The leadership of the Belpre City School District has showed that it is willing and able to make the tough choices needed to maintain fiscal health," Auditor Yost said in a statement. "These decisions are never easy, but they prevent far worse problems down the road."

Another found the Geneva Area City School District in Ashtabula County could save $272,200 per year by reducing the subsidy for extracurricular activities to the level of local peer districts, converting a full-time nursing position to part-time, reducing the employer's cost of dental and vision insurance to the county average and more.

Some of the recommendations were taken by the school board during the audit.

The district's October five-year fiscal forecast projected a nearly $11.6 million deficit by FY 2022, which led the district to eliminate 11 teaching positions and some support staff. Voters also approved a 1.25% income tax levy, leading the forecast to now show a $2.1 million surplus.

"The district has acted responsibly and vigorously to address what could have become a dire financial situation," Auditor Yost said. "Thanks to decisions to trim costs and the voters' willingness to provide additional revenue, the district now is in far better shape."

The Medicaid report looked at the rise in the number of Medicaid recipients receiving opioid-related diagnoses, which increased 430% from 2010-2016. It also found that Medicaid recipients filled opioid prescriptions that were shorter in duration and lower in dosage than people on commercial plans.

"Despite the tragic number of deaths associated with opioid abuse, and the widespread publicity surrounding this epidemic, we continue to see more and more people falling prey to this insidious addiction," Mr. Yost said. "This epidemic would be worse but for the controls put in place by Gov. John Kasich's administration to reduce the dosage strength and prescription duration for Medicaid recipients."

The increase in Medicaid recipients with an opioid-related diagnosis coincided with a 639% increase in the use of medication-assisted treatment, the report found.

"Medicaid is the safety net for our most-needy Ohioans," Auditor Yost said. "That safety net is being stretched thin by the thousands of people who have lost their jobs, their health insurance and are in desperate need of care. As much as we've done in Ohio to curb this epidemic, more needs to be done."

An audit of Lucas County this week detailed the theft of almost $175,000 by a former employee of the county clerk of courts, the auditor reported. That employee, Amirra Itawi, was sentenced last week to jail time after pleading no contest to a third-degree felony theft in office charge. An ongoing investigation by the auditor's office could lead to additional findings.

An internal audit of the court's billing system found Ms. Itawi fraudulently voided 799 transactions from December 2016-July 2017 to conceal the theft.

"This is one of the most common tricks we've seen thieving government employees use to pocket cash from transactions," the auditor stated. "The only way to thwart the scheme is to implement and adhere to a strong system of checks and balances."

Another audit, of the village of Wayne Lakes, found village officials improperly spent thousands of dollars on a golf cart, kayak and other prizes it gave to citizens in 2015 and 2016.

The report names Tammy Barger, the former fiscal officer, responsible for improper payments totaling $4,210, including the $3,500 golf cart and $220 kayak raffled off to the village.

"These officials were elected to run a government - not a game show," Auditor Yost said. "Their use of tax dollars to pay for contest prizes is both wasteful and illegal."

The auditor's office announced a pair of Ashtabula Township trustees in Ashtabula County returned overpayments of $618 that they received in 2016.

The auditor also placed Ward Township in Hocking County on the "unauditable" list after its fiscal officer failed to provide required financial statements. The officer did not file the needed statements despite receiving a deadline extension.

"Complete financial records shine a light on local governments," Auditor Yost said. "Taxpayers should know how their dollars are being spent, and without an audit they are being left in the dark."

Auditor Yost also praised passage of legislation (HB 312) from Rep. Kirk Schuring (R-Canton) and Rep. Dave Greenspan (R-Westlake) to rein in the use of credit cards by local governments by: requiring them to have policies detailing allowable uses and users, requiring some entities to have an appointed compliance officer to review accounts, and allowing the auditor's office to create rules for the disclosure and audit of credit card rewards accrued by local governments.

"This legislation will protect tax dollars by requiring common-sense policies to govern how cards can be used and what types of purchases are permissible," he said. "This is good-government legislation. Reps. Schuring and Greenspan showed great leadership in helping us pass legislation to fix this problem."

Group Advocates New Tax Bracket For High Earners

A new plan released this week by a left-leaning think tank calls on legislators to increase taxes on the state's wealthiest residents to fund increased investment in education, transportation and other public services.

Policy Matters Ohio's proposal calls on the state to hike the tax rate on income in excess of $218,250 back up to 7.5% and to create a new 8.5% rate for income in excess of $500,000.

Zach Schiller, research director for Policy Matters Ohio, said on a conference call that tax policy enacted in the state in recent decades has "tilted the tax system in favor of the most affluent," while producing less revenue for public services and local governments. He said the state also has "badly underperformed the nation" economically since 2005.

"Ohio has significant needs," he said. "We need more revenue to pay for them."

The proposal also recommends the state eliminate the tax break owners of pass-through entities get on the first $250,000 of income from those businesses.

Mr. Schiller said the change has not resulted in significant growth in new businesses or employee wages.

"This new tax break deserves to go on the scrap heap," he said.

Even with the proposed increases, Mr. Schiller said the vast majority of Ohioans would see no tax increase under the plan. He added that residents who would pay higher taxes to the state likely are going to benefit greatly from federal tax cuts.

The group's plan also calls for the state to make its earned income tax credit refundable and raise it to 20% of the federal amount. The changes suggested in the plan, including the costs associated with growing the earned income tax credit, would lead to $2.6 billion in additional annual revenue for the state, according to the group.

Policy Matters estimates about 17% of tax filers in the state would see a tax cut under its proposal, while more than 71% would be unaffected.

Wendy Patton, the group's Ohio senior project director, said in a statement Ohio could use the extra revenue to bolster entities and services that have seen funding cuts in recent years.

"Ohio's economy needs long-term investments in the education and welfare of its residents and restored state support to local governments, public transit and libraries," Ms. Patton said. "The state can pay for this by restoring taxation of the richest households, making our state and local tax system more fair than it is today. Rebalancing the tax code is a key to a more prosperous, equitable Ohio."

Mr. Schiller said the group has not yet approached lawmakers and asked them to put the plan forward as legislation. He said the group has reached out to the gubernatorial candidates about the proposal.

"We hope to see more interest in the future," he said.

BWC To Expand Safety Grant Program; Enforcement Actions Announced

Another $8 million in safety grants will be available to schools and police agencies under a program expansion announced by Bureau of Workers' Compensation Administrator/CEO Sarah Morrison.

The move comes as part of a two-year, $44 million investment in safety in the wake of BWC's $1.5 billion rebate program.

"It's easy to forget that classrooms are also workplaces and while policemen are there to protect us, they deserve workplace protections themselves," Ms. Morrison said this week during a news conference at Whitehall Yearling High School near Columbus. "Where better to direct safety resources than to some of our most important employers - those who educate our children and those who swear to protect us."

The additional money for schools and police is part of a plan to boost the annual Safety Intervention Grant Program from $15 million to $20 million in each of the next two years, the bureau reported.

Ms. Morrison also announced $4 million will be dedicated to continuing BWC's Occupational Safety and Health Research Grant Program, which funds research into workplace health and safety at Ohio's not-for-profit higher education institutions and research organizations.

BWC said it will work with the law enforcement community to determine how the additional money can be used to meet their needs. It will also work with the Department of Public Safety and the Ohio Homeland Security's Center for P-20 Safety & Security, a collaboration between the departments of education and higher education.

"This initiative will no doubt contribute to the safety of Ohio's schools," ODPS Director John Born said in a statement. "We are happy to support BWC in its investment in the welfare of students and staff across the state."

Added Whitehall Police Chief Mike Crispen, "Safety equipment is extremely important to police work; it protects officers from harm while helping them properly perform their duties. The law enforcement community will welcome assistance in equipping officers with the safety tools and training that prepares them to provide the best possible protection to their communities."

The state agency grants aim to help in the development of safety initiatives among businesses they work with, the bureau stated. BWC will develop application guidelines and work with agencies to identify how to make those workplaces safer.

The Safety Intervention Grant Program will continue to include funding announced as part of last year's safety initiative. Those include grants to help reduce carcinogen exposure in firefighters and protect those who care for the disabled.

On Friday the bureau announced that 75 fire departments will share $745,000 in grants from its Firefighter Exposure to Environmental Elements Grant Program. The money can be used to purchase safety gear, exhaust systems and specialized washing machines.

"Ohio's firefighting community is confronting the Cancer threat head-on by equipping their stations and officers with tools that can protect their health now and into the future," said Abe Al-Tarawneh, superintendent of BWC's division of safety and hygiene. "I'm pleased BWC was able to identify and meet this need for hundreds of fire departments across the state."

Fraud Targeted: BWC also announced this week that a former central Ohio dog groomer pleaded guilty to theft after investigators found her living and working in Colorado Springs, Colo. while receiving BWC benefits.

Karrie Hoskisson, 44, formerly of Canal Winchester, pleaded guilty to the first-degree misdemeanor count and was sentenced to 36 days in jail, the bureau reported. A Franklin County judge gave her credit for time served because she was jailed in Colorado after her arrest in May and again in Columbus following her extradition.

"Ms. Hoskisson failed to follow through with us following her not guilty plea to theft and workers' compensation fraud charges in 2016, so we had her arrested by the U.S. Marshal's Office and extradited to Ohio," said Jim Wernecke, director of BWC's special investigations department.

He said Ms. Hoskisson collected $15,000 in BWC benefits during the time she was also working as a night watchman in Colorado.

In a separate development, Randall Mount, the owner of Ram Restoration in Centerville, pleaded no contest Monday in Kettering Municipal Court to a second-degree misdemeanor count that he failed to comply with Ohio law requiring him to carry workers' compensation coverage for his business, BWC reported. He owes the bureau more than $190,000 and must prove to a judge that he's taken steps to bring his policy back into compliance when he's sentenced on a related criminal charge Aug. 13.

In another employer case, BWC said Steve Frair, the owner of a Columbus automotive repair shop pleaded guilty June 5 to two second-degree misdemeanor counts of Failure to Comply after letting his policy lapse in July 2015. He was fined $165 and owes the bureau $626 in back premiums and penalties.

Clemency Denied For Murderer; Door Tag Deemed Adequate Notification For Gas Shutoff; Amended Complaint Filed In Gerrymandering Case

Gov. John Kasich on Friday denied clemency for a man set to be executed next month.

The decision comes after the Parole Board earlier this month in an 8-1 decision recommended clemency be denied for Robert Van Hook, who is slated to be executed July 18 for the 1985 murder of David Self.

Attorneys for the 58-year-old argued that he should be spared the death penalty because of his traumatic childhood and history of mental illness.

In rejecting his request, however, the parole board noted that Mr. Van Hook had positive influences in his life and that he was able to largely refrain from violent behavior in the years leading up to the murder of Mr. Self.

The board also took into account the inmate's conduct in prison, particularly a November 2017 incident in which he repeatedly stabbed a fellow death row inmate in the face, neck and chest area.

Gas Shutoff: A door tag is adequate notification of the disconnection of gas service, the Ohio Supreme Court ruled this week.

In a unanimous decision authored by Justice Patrick DeWine, the court upheld the determination of the Public Utilities Commission of Ohio that Columbia Gas of Ohio's use of such a tag on property leased to Harris Design Services complied with the Ohio Administrative Code.

The company had vacated the property, but in 2014 discovered the gas had been disconnected, causing the pipes to freeze and burst, the high court reported.

The company contended that a phone call or letter would have served as a better form of notification.

"[T]he question is not whether another type of notice might have been more likely to provide actual notice to the customer but whether the door-tag notice comported with the requirement that Columbia 'furnish necessary and adequate service,'" Justice DeWine wrote for the court. "We find nothing 'unlawful or unreasonable' in the PUCO's determination that the door-tag notice was adequate, and therefore, we will not disturb its holding in this regard."

Gerrymandering Case: Following two U.S. Supreme Court decisions involving gerrymandering, the ACLU of Ohio has filed an amended complaint with the high court in its case challenging the constitutionality of the state's congressional maps.

"While the Supreme Court punted on the constitutionality of partisan gerrymandering, the decisions gave us helpful guidance on how to carry out our litigation in Ohio," Freda Levenson, legal director for the ACLU of Ohio, said in a statement. "We are confident that our complaint is not susceptible to either of the shortcomings that the court addressed in the Wisconsin and Maryland cases."

The Northeast Ohio Young Black Democrats, the Ohio State University College Democrats and the Hamilton County Young Democrats have also been added to the lawsuit.

"Ohio's map is one of the most egregious gerrymanders in recent history. The Supreme Court is clearly concerned about the damage that extreme gerrymandering does to our democracy, and we look forward to continuing the fight for a fair and constitutional map in Ohio," Ms. Levenson said.

Attorney Suspended: A Cuyahoga County attorney has been suspended for two years, with one year conditionally stayed, after it was determined she violated professional conduct rules.

In a per curiam decision, the high court levied the suspension against Debbie Kay Horton after she failed to properly withdraw from a legal proceeding, did not promptly deliver funds that her client was entitled to receive, did not maintain adequate records of her client trust account and failed to take other steps to protect her client's interests, the court's media arm reported.

New Report: The latest installment of "By the Numbers 4," a five-part series of reports on the nexus between mental health, substance abuse and the criminal justice system, found that in 2015, more than 15,500 people with mental illness and/or substance use disorders were incarcerated in county jails.

"Not only are county jails not the best environment to treat those dealing with mental illness or substance use disorders," Joan Englund, executive director of the Mental Health & Addiction Advocacy Coalition, said in a statement. "Treating folks behind bars is expensive, costing taxpayers on average $30,000 a year per jail, stressing already cash-strapped county budgets."

Article Cited: A Republican House candidate who lost in the March primary recently had his work cited in a U.S. Supreme Court decision.

John Plecnik, an associate professor of law at the Cleveland-Marshall College of Law at Cleveland State University, authored "Officers Under the Appointments Clause," which was cited by Justice Sonia Sotomayor in her dissent in the case of *Lucia v. Securities and Exchange Commission*.

"It's the honor of a lifetime to see my work cited as authority in a Supreme Court opinion," the Willoughby Hills councilman said in a statement. "I am humbled."

Sykes Files Complaint With Civil Rights Panel; Group Warns Of Census Undercounting; Immigration Rally Set

Rep. Emilia Sykes continues to press the issue of her being scrutinized by security when trying to enter state buildings.

In the latest move, the Akron Democrat filed a complaint with the Ohio Civil Rights Commission, the panel confirmed Friday.

Her complaint was filed against the House, the Department of Public Safety, the Department of Administrative Services and the Capitol Square Review and Advisory Board.

After notifying those named in the complaint the parties have the option to voluntarily enter into mediation, which Rep. Sykes wants to do, according to a source close to her.

If no resolution is reached through mediation, a formal investigation would commence, and a preliminary determination would be issued within one year.

Rep. Sykes said earlier this month that she was stopped attempting to enter the Riffe Center by security personnel from the Ohio State Highway Patrol who requested a closer look at her ID badge.

She also said that last year she was stopped by Statehouse security, which the patrol also runs, and her status as a lawmaker was questioned.

Census Undercounting: A group is warning that more than 100,000 of Ohio's youngest children could be left out of the 2020 census count, endangering federal funding to the state.

The Children's Defense Fund-Ohio said the undercounting of young children has been a problem since 1980, and has only grown worse over the years.

"The census count is about more than data. It's about our nation's commitment and investment in our communities," Tracy N ra, executive director for the Children's Defense Fund-Ohio, said in a statement. "An accurate census is about infants and toddlers all over our state who can't access high-quality pre-K because there's not enough funding to support them, counties that are overburdened by an influx of families in need because of the opioid crisis, families who need our support."

The group said those mostly likely to be undercounted are in Ohio's largest cities. Due to an increased reliance on technology, however, those in rural parts of the state are also at risk of not being counted.

"We're calling on our state and local leaders and community stakeholders to establish and strengthen strategic partnerships with various public agencies, early childhood programs, health care professionals, religious and civic organizations and business and other community stakeholders to reach hard-to-count households to bridge the digital divide and increase participation in the first electronic census," Ms. N ra said. "Our children and our communities can't afford a decade of loss."

Immigration Rally: Rallies are planned around the country to protest President Donald Trump's policy of separating families at the border.

The "Families Belong Together" protests are set to take place in all 50 states, including an event on the Statehouse grounds that begins at 10 a.m. Saturday.

EdChoice Summer Applications Start Sunday; $17M Gift To Fund OSU Entrepreneurship Center; BGSU Announces New Degrees

The latest application window for the state's EdChoice Scholarship Program will open Sunday and close at the end of July.

Students must meet the state's requirements for the scholarship and first apply to a private school before seeking funding through the program, which can serve up to 60,000 students. The scholarship, which covers tuition costs of up to $4,560 for students

in Kindergarten through 8th grade and up to $6,000 for high school students, can be renewed yearly.

Additional information on the program, which had an initial application period this year between Feb. 1 and April 30, can be found on a Department of Education fact sheet.

Residents also can seek additional information about the application process and eligibility requirements by contacting School Choice Ohio at 1-800-673-5876.

Gift: The Keenan Family Foundation has committed $17 million in funding to Ohio State's Fisher College of Business to establish the Tim and Kathleen Keenan Center for Entrepreneurship, the university announced this week.

Students will sharpen their business skills and connect with local startups through the center, according to a university news release.

"Kathleen and I have dedicated our philanthropic lives to the development of an entrepreneurial ecosystem to help regions of the country that need new job development," Tim Keenan, CEO of Keenan & Associates, said in a statement. "Our first endeavor was in upstate and central New York and now we have focused on the Midwest. We are excited to partner with The Ohio State University and Fisher College of Business to position the university as a thought leader and focal point of action for the Midwest and the nation as a whole.

"We are confident that the talented students of Ohio State, combined with the faculty and staff, will position the Keenan Center for Entrepreneurship as an impact leader across all industries, and that it will be a driving contributor to job creation in Ohio and the nation."

OSU President Michael Drake said the gift will make a major impact at the school.

"The Tim and Kathleen Keenan Center for Entrepreneurship is a remarkable resource for our students as well as Ohio's rapidly growing start-up ecosystem," he said. "Their inspiring gift honors Buckeye Nation's proud entrepreneurial legacy, while laying the educational foundation for tomorrow's business leaders. I am truly grateful to Tim and Kathleen for their longstanding service and generosity to Ohio State."

The gift and center's establishment is pending approval from the school's board of trustees.

Programs: Bowling Green State University's Board of Trustees this month approved a new bachelor's degree program in advertising and a new master's degree program in athletic training.

The university established the advertising program in part because the Bureau of Labor Statistics lists the demand for advertising workers as above average compared to the nation, according to a university news release.

The training program expands the university's offerings within its School of Human Movement, Sport and Leisure Studies.

"This new program in athletic training not only will prepare students to work with a variety of populations, but also offers the opportunity for BGSU to partner with a number of external organizations to expand our students' experiences significantly," said John Fischer, interim provost and senior vice president for academic affairs.

Brown, Portman See Farm Bill's Passage As Boon; Delegation Reacts To Kennedy's Retirement; Bill Includes Funding For Wright-Patterson, Camp Ravenna, More...

The Senate's 2018 farm bill will be reconciled with its companion from the House and sent to President Donald Trump after U.S. Sen. Rob Portman and U.S. Sen. Sherrod Brown joined with 84 of their colleagues to pass the measure Thursday in the upper chamber.

Sen. Portman (R-Terrace Park) said in a statement several provisions of the legislation will lead to direct, positive effects for residents of the state.

"This Farm Bill reauthorizes several programs to expand broadband access and improve infrastructure in our rural communities," he said. "Improving access to broadband, upgrading water infrastructure, and implementing cost-effective energy efficiency measures are important priorities of mine, and this bill will help create jobs and spur economic development in rural communities throughout Ohio. The bill also helps keep Lake Erie clean and our drinking water safe by maintaining funding for conservation programs, which help farmers implement best management practices on their farms and reduce nutrient runoff into waters like Lake Erie."

Sen. Brown (D-Cleveland) said the bill also includes more funding for Ohio's dairy farmers and closes loopholes that allow federal farm payments to go to investors instead of farmers, among other provisions.

"This bill is big win for Ohio, and it's the product of a long, bipartisan process, working with Ohio farmers and communities over the past year," he said. "The Senate Farm Bill is good for farmers, good for families, good for taxpayers, good for jobs, and good for Lake Erie. I will continue pushing Congress to make sure the final bill is good for Ohio."

Ohio's senators also successfully pushed for the legislation to be amended to increase funding for Central State University, which earned Land Grant status through the previous farm bill. Universities with the Land Grant designation are eligible for additional federal research funding through the U.S. Department of Agriculture.

"Our amendment is a commonsense fix to a historical oversight, to make sure one of Ohio's great universities gets its fair share of federal education dollars," Sen. Brown said.

Supreme Court: Congressional Republicans offered their praise for Supreme Court Justice Anthony Kennedy this week after the justice announced his plan to step down this summer.

"I join all Americans in thanking Justice Anthony Kennedy for his over 30 years of service to our nation," U.S. Rep. Brad Wenstrup (R-Cincinnati) said. "He sought to be fair and non-partisan, especially in this politicized and ideological time. I wish him all the best for his well-deserved retirement."

U.S. Rep. Bob Latta (R-Bowling Green) said Justice Kennedy served with "honor and distinction" during his three decades on the court.

"I thank him for his years of service and wish him the best in his upcoming retirement," he said. "As we look towards the next justice, I encourage President Trump to nominate an individual with a history of upholding the Constitution and (who) believes in interpreting the law, not making the law."

Sen. Portman said he is "grateful" for the justice's years of service.

"I look forward to learning who President Trump plans to nominate and thoroughly assessing his or her qualifications for this important role," he said. "The job of a Supreme Court justice is to fairly and impartially apply the law and to protect the rights guaranteed by the Constitution, not to advance public policy goals by legislating from the bench."

U.S. Rep. Tim Ryan (D-Niles) said he thinks the Senate should wait until after November's election to vote on any potential replacement for Justice Kennedy.

"In the last few years we've seen an unparalleled unraveling of reproductive rights, voting rights, and workers' rights alongside a grotesque influx of dark money into our political system thanks to the Supreme Court," he said. "If President Trump is able to install another ultra-conservative ideologue to the court, we can only expect it to get worse. Mitch McConnell should follow his own precedent and forgo any vote on a replacement until after the American people have had their voices heard in the midterms."

Funding: The U.S. Senate this week passed the Fiscal Year 2019 Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act.

Among the appropriations in the bill is more than $116 million in funding for upgrades at the National Air and Space Intelligence Center at Wright-Patterson Air Force Base near Dayton. The legislation also includes $7.4 million for the addition of a machine gun range at the National Guard's Camp Ravenna Joint Military Training Center in Portage County.

The U.S. Department of Veterans Affairs also will receive $400 million to treat and prevent opioid use and addiction among military veterans through the measure.

The effort to remediate the Portsmouth Gaseous Diffusion Plant in Piketon will see an additional $30 million above last year's funding through the legislation.

"This bill will benefit Ohio, and I'm pleased that the Senate worked together to pass it on a bipartisan basis," Sen. Portman said. "It includes a number of my key priorities, including providing additional funding to combat opioid abuse at the VA, support Ohio's defense installations, ensure cleanup at Piketon, and protect Lake Erie. I am proud that we continue to deliver results for Ohio and I look forward to the president signing this bill into law in the coming weeks."

Veterans: A U.S. House subcommittee this week moved forward a proposal sponsored by U.S. Rep. Marcy Kaptur (D-Toledo) aimed at providing more training opportunities for medical workers who provide services to military veterans.

The Veterans-Specific Education for Tomorrow's Health Professionals Act would expand shadowing and other educational opportunities for doctors, nurses and physical therapists.

"There are few duties more sacred than our nation's charge to deliver quality care to our veterans who have bravely served liberty's cause," Rep. Kaptur said. "Those willing to serve are owed the best care possible. We must do more to train health professionals in order to decrease the impact of a physician shortage. Our bill creates more opportunities for students to get the training they need to care for our veterans."

Opioids: Congress earlier this month passed the final version of a bill that would create a task force to identify and aid grandparents raising their grandchildren in the wake of the opioid epidemic.

Sen. Brown, who sponsored the measure with U.S. Sen. Bob Casey (D-Pa.) and U.S. Sen. Susan Collins (R-Maine), said it will lead to additional help for families struggling with addiction.

"We need to learn more about the challenges facing grandparents and other relatives in Ohio who have stepped up as caregivers, so we can support them as they raise these children," he said.

Executive Orders Signed

Gov. John Kasich on Friday signed executive orders related to Medicaid and Temporary Assistance for Needy Families.

Executive Order 2018-07K permits the emergency filing of a Department of Medicaid rule that allows behavioral health practitioners who have had certain past convictions to be enrolled as Medicaid providers, as part of the Ohio Department of Medicaid's behavioral health redesign.

EO 2018-08K authorizes the expenditure of $6.54 million in TANF funds. The Governor's Office of Faith-Based Initiatives will use the funds to assist Moms2B, After-School All-Stars, the Truly Reaching You Prisoner Reentry Program, Mom's House, Coats for Kids, and Operation Warm.

Governor's Appointments

University of Akron Board of Trustees: Andrew M. Adolph of Canal Fulton has been appointed to serve as a student member on the for a term beginning July 2, 2018, and ending July 1, 2020.

Wright State University Board of Trustees: Bruce A. Langos of Dayton has been reappointed to the for a term beginning July 1, 2018, and ending June 30, 2027.

Ohio Turnpike and Infrastructure Commission: Timothy J. Paradiso of Port Clinton for a term beginning July 1, 2018, and ending June 30, 2023.

State Board of Pharmacy: Donald "Rich" Miller III of Blacklick for a term beginning July 1, 2018, and ending June 30, 2022 and Jennifer M. Rudell of Liberty Twp. for a term beginning July 1, 2018, and ending June 30, 2022.

Ohio Historic Site Preservation Advisory Board: Stuart D. Hobbs, PhD of Columbus for a term beginning June 29, 2018, and ending January 14, 2021.

Attorney General's Opinions

No. 2018-014. Requested by Putnam County Prosecuting Attorney Gary L. Lammers. SYLLABUS:

1. Under R.C. 6137.02, a separate ditch maintenance fund is not required for each single county ditch constructed pursuant to R.C. Chapter 6131; revenue from maintenance assessments associated with multiple ditches constructed pursuant to R.C. Chapter 6131 may be administered under a single ditch maintenance fund.

2. Under R.C. 6137.04, a separate ditch maintenance fund is required for each joint county ditch constructed pursuant to R.C. Chapter 6133.

3. For ditches approved for construction under R.C. Chapters 6131 or 6133 after August 23, 1957, a resolution adopted by a board of county commissioners or joint board of county commissioners approving the construction of the ditch is sufficient to establish a maintenance fund for the purpose of R.C. 6137.02.

No. 2018-015. Requested by Trumbull County Prosecuting Attorney Dennis Watkins. SYLLABUS:

1. Pursuant to R.C. 6137.03, a board of county commissioners may defer levying maintenance assessments on benefited lands for the repair, upkeep, and permanent maintenance of a ditch constructed under R.C. 6131.63 until such time as maintenance or repairs become necessary.

2. Upon discovery that a ditch constructed under R.C. 6131.63 requires maintenance or repair, a board of county commissioners may levy maintenance assessments on the benefited lands that are part of the permanent maintenance assessment base pursuant to the assessment procedures under R.C. Chapter 6137.

3. If a ditch maintenance fund lacks sufficient moneys for emergency repairs to a ditch constructed pursuant to R.C. 6131.63, a board of county commissioners may use other available county moneys to pay for such emergency repairs and reimburse those moneys with revenue collected from maintenance assessments levied after the repairs are completed.

4. For the purpose of levying maintenance assessments on condominium property under R.C. Chapter 6137, each condominium unit and each unit owner's undivided interest in the common elements of the condominium property should be treated as separate parcels of property.

Supplemental Agency Calendar

Wednesday, July 11

Veterinary Medical Licensing Board, 77 S. High St., Room 1914, Columbus, 8:30 a.m.

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Columbus Ohio 43215
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Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

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House Activity for Friday, June 29, 2018

SIGNED BY THE GOVERNOR

HB 8 (Enacted)

RECORDS EXEMPTION (Hambley, S., Rezabek, J.) To exempt from the Public Records Law certain information concerning a minor that is included in a record related to a traffic accident involving a school vehicle in which the minor was an occupant at the time of the accident, to allow the parent or guardian of the minor to request a record of the accident containing the exempted information, and to exempt certain protected health information from the Public Records Law.
Signed: June 29, 2018
Gongwer Coverage

HB 21 (Enacted)

COMMUNITY SCHOOLS (Hambley, S.) To make changes regarding the verification of community school enrollments, to prescribe an annual public comment period for the community school sponsor evaluation system, to exempt certain chartered nonpublic schools from state testing and graduation requirements, to prescribe a one-year moratorium on the building code requirement for schools to have storm shelters, to eliminate the current Education Management Information System (EMIS) Advisory Board, and to require the Department of Education to establish a new EMIS Advisory Council.
Signed: June 29, 2018
Gongwer Coverage

HB 111 (Enacted)

MENTAL HEALTH COMMITMENTS (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses (APRNs) to have a person involuntarily transported to a hospital for a mental health examination; to modify APRN standard care arrangement requirements; to clarify APRN license application requirements; to grandfather certain APRNs from meeting educational and examination requirements for licensure; to reduce the pre-examination practice requirement for certain dialysis technician applicants; to make changes in the laws administered by the State Medical Board, including those related to physician training certificates and limited permits to practice respiratory care; to coordinate procedures for investigating Respiratory Care Law violations with procedures governing State Medical Board investigations; to make changes relating to physician assistant supervision agreements; to authorize a board of county hospital trustees of a charter county hospital to

have hospital facilities in a county contiguous to any charter county; to establish a biennial license renewal system for orthotists, prosthetists, and pedorthists; to modify an allocation to children's crisis care facilities; to require certification of certain addiction services; to modify the requirements for licensure of methadone treatment programs and to require licensure of other opioid treatment programs; to repeal sections 5119.367, 5119.391, and 5119.392 of the Revised Code twelve months after the effective date of this act; and to declare an emergency.
Signed: June 29, 2018
Gongwer Coverage

HB 133 (Enacted)
DISASTER WORK (Ryan, S.) To create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster and to modify the interest penalty for late payments of estimated income taxes.
Signed: June 29, 2018
Gongwer Coverage

HB 159 (Enacted)
MONTH DESIGNATION (Riedel, C.) To designate May as "Drive Ohio Byways Month" and to incrementally increase the required contribution for Fraternal Order of Police license plates.
Signed: June 29, 2018
Gongwer Coverage

HB 225 (Enacted)
OIL GAS WELLS (Thompson, A.) To modify the law governing idle and orphaned oil and gas wells and to make additional appropriations.
Signed: June 29, 2018
Gongwer Coverage

HB 229 (Enacted)
DAY DESIGNATION (Romanchuk, M., Wiggam, S.) To designate February 3 as "Charles Follis Day."
Signed: June 29, 2018
Gongwer Coverage

HB 332 (Enacted)
ANATOMICAL GIFTS (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability.
Signed: June 29, 2018
Gongwer Coverage

HB 366 (Enacted) — **CHILD SUPPORT** (Gavarone, T.) To make changes to the laws governing child support.
Signed: June 29, 2018
Gongwer Coverage

HB 438 (Enacted) — **ESC BOARDS** (Hambley, S., Kick, D.) To permit the addition of appointed members to educational service center boards, to permit a local school district to sever its territory from one educational service center and annex that territory to an adjacent service center under specified conditions, and to authorize educational service centers to establish local professional development committees.
Signed: June 29, 2018
Gongwer Coverage

HB 506 (Enacted) — **DOG BREEDERS** (Hill, B.) To revise the law governing high volume dog breeders and other dog-related professionals and facilities.
Signed: June 29, 2018
Gongwer Coverage

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Senate Activity for Friday, June 29, 2018

SIGNED BY THE GOVERNOR

SB 4 (Enacted)

HUMAN TRAFFICKING (Kunze, S., Oelslager, S.) To allow a person who is found not guilty of an offense or who is the defendant named in a dismissed criminal charge to apply for a court order to expunge the person's official records in the case if the charge or not guilty finding was the result of the applicant having been a human trafficking victim, to allow a person convicted of certain prostitution-related offenses to apply for the expungement of the conviction record of any offense, other than a specified disqualifying offense, the person's participation in which was a result of having been a human trafficking victim, and to allow intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.
Signed: June 29, 2018
Gongwer Coverage

SB 139 (Enacted)

LEGAL MATERIALS (Skindell, M., Eklund, J.) To adopt the Uniform Electronic Legal Material Act.
Signed: June 29, 2018
Gongwer Coverage

SB 163 (Enacted)

COUNTY INVESTMENTS (Wilson, S.) To modify the qualifications regarding notes eligible for investment of county inactive moneys.
Signed: June 29, 2018
Gongwer Coverage

SB 257 (Enacted)

SPORTING LICENSURE (Uecker, J., O'Brien, S.) To make changes to the laws governing hunting and fishing.
Signed: June 29, 2018
Gongwer Coverage

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Daily Activity Planner for Saturday, June 30-Monday, July 2

Legislative Committees

No legislative committees scheduled.

Agency Calendar

No agency meetings scheduled.

Event Planner

Saturday, June 30

Rockin' Fiscal Eve, Johnnie's Glenn Avenue Grill, 1491 Glenn Ave., Columbus

17 S. High St., Suite 630
Columbus Ohio 43215
Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

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Event Planner

Saturday, June 30

Rockin' Fiscal Eve, Johnnie's Glenn Avenue Grill, 1491 Glenn Ave., Columbus

Monday, July 9

Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)

Tuesday, July 10

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay St., Columbus, 11:30 a.m., (Host: $1,000, Sponsor: $500, Patron: $350 to Friends of Scott Lipps)

Wednesday, July 11

Rep. Richard Brown (D-Canal Winchester) fundraiser, The Paddock Club, 1005 Richardson Rd., Groveport, 5:30 p.m., (Sponsor Levels: Sponsor $250, Host $100, Guest $50 to Citizens for Richard Brown)

Thursday, July 12

Rep. Hearcel Craig (D-Columbus) fundraiser, Crest Gastropub, 621 Parsons Ave., Columbus, 5:30 p.m., (Host $500, Friend $250, Supporter $150; Guest $69 to Friends of Hearcel F. Craig)

Monday, July 16

Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf Course, 4399 OH-231, Tiffin, 8:30 a.m., (8:30 am registration; 10 am shotgun)

Tuesday, July 17

Republican Senate Campaign Committee MLB All-Star Game fundraiser, Dock 79, 79 Potomac Ave SE, Washington DC, 5 p.m., (Walk Off: $5,000 | Grand Slam: $2,500 | Home Run: $1,000 to RSCC)

Thursday, July 19

ALEC Annual Meeting, Denver
Sen. Stephanie Kunze (R-Hilliard) manicure fundraiser, W Nail Bar, 946 N. High Street, Columbus, 4 p.m., (PAC: $500 | Individual: $250 | Young Professional: $50 to Citizens for Stephanie Kunze. RSVP is required to ensure appointment.)
Sen. Matt Dolan (R-Chagrin Falls) Batter Up fundraiser, Progressive Field, 2401 Ontario Street, Cleveland, 4 p.m., (4:00pm Warm Up & Batting | 5:30pm Reception.

Grand Slam: $5,000 | Home Run: $2,500 | Single: $1,000 | Spectator: $150 to Friends of Matt Dolan)

Friday, July 20

ALEC Annual Meeting, Denver
Rep. Tom Patton (R-Strongsville) golf outing fundraiser, Mallard Creek Golf Club, 34500 Royalton Road (SR 82), Columbia Station, 10 a.m., (10:00 am Shotgun start; Tournament: $2,000, Eagle: $1,000; Foursome: $600, Birdie:$5000, Person: $150 to Friends of Tom Patton)

Saturday, July 21

ALEC Annual Meeting, Denver

Sunday, July 22

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Monday, July 23

YMCA Youth & Government Leaders Training School, Statehouse, Columbus
Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Road, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. Event Sponsor: $1,000 | Foursome: $400 | Tee or Green Sponsor: $200 | Individual Golfer: $100 to Huffman for Ohio)

Tuesday, July 24

YMCA Youth & Government Leaders Training School, Statehouse, Columbus
Rep. Bill Seitz (R-Cincinnati) fundraiser, Gresso's, 961 S. High St., Columbus, 5 p.m., (Gold: $2,000; Silver: $1,000; Bronze: $500 to Seitz for Ohio)

Wednesday, July 25

YMCA Youth & Government Leaders Training School, Statehouse, Columbus
Sen. Rob McColley (R-Napoleon) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Road, Defiance, 11 a.m., (11:00am Registration and Lunch | 12:00pm Shotgun Start | 5:30pm Cocktail Hour | 6:00pm Dinner with State Rep. Craig Riedel. Event Sponsor: $2,500 | Tee Sponsor: $1,000 | Green Sponsor: $500 | Foursome: $400 | Dinner Sponsor: $250 | Individual Golfer: $100 to Citizens for McColley)

Thursday, July 26

YMCA Youth & Government Leaders Training School, Statehouse, Columbus
Rep. Craig Riedel (R-Defiance) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Rd., Defiance, 9:30 a.m., (9:30 Shotgun Start. Event:$2,500, Tee:$1,000, Green:$500, Foursome:$400, Golfer: $100 to Citizens to Elect Craig Riedel)

Rep. Bill Blessing (R-Cincinnati) fundraiser, Via Vite, 520 Vine St., Cincinnati, 11:30 a.m., (Sponsor: $1,000, Host: $500, Guest: $250 to Citizens for Blessing)

Friday, July 27

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Monday, July 30

NCSL Legislative Summit, Los Angeles

Tuesday, July 31

NCSL Legislative Summit, Los Angeles
Deadline to file semi-annual campaign finance reports

Wednesday, August 1

NCSL Legislative Summit, Los Angeles
Rep. Riordan McClain (R-Upper Sandusky) golf outing fundraisesr

Thursday, August 2

NCSL Legislative Summit, Los Angeles
Rep. Anne Gonzales (R-Westerville) Lake Erie fundraiser, Dock's Beach House, 252 W. Lakeshore Drive, Port Clinton, 4 p.m., (Sponsor: $2,500 | Host: $1,000 | Guest: $500 to Citizens for Anne Gonzales)

Friday, August 3

Deadline for statewide candidates to file July campaign finance reports
Speaker Ryan Smith (R-Bidwell) golf outing fundraiser, Cliffside Golf, 100 Cliffside Drive, Gallipolis, 9 a.m., (Coffee/Registration: 9:00am; Shotgun Start: 10:00am; Event Chair: $12,707.79; Event host: $5,000; Event sponsor: $2,500; Tee Sponsor: $1,000; Foursome: $500; Individual Golfer: $150; Reception only: $75 to Friends of Ryan Smith)
Sen. Sandra Williams (D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave., Cleveland, 5 p.m., ($200 (table); $20 (friend) to Friends of Sandra Williams)

Tuesday, August 7

Special election for 12th Congressional District seat

Wednesday, August 15

Rep. Theresa Gavarone (R-Bowling Green) golf outing fundraiser

Thursday, August 16

Sen. Bob Hackett (R-London) golf outing fundraiser

Friday, August 17

Sen. Bill Beagle (R-Tipp City) Fly Fishing fundraiser

Monday, August 20

Rep. Laura Lanese (R-Grove City) golf outing fundraiser, Pinnacle Golf Club, 1500 Pinnacle Golf Club Dr., Grove City, 10 a.m., (10:00 am Registration, 11:00 am Shotgun start, Dinner to follow; Event:$1,500, Food and Beverage: $700, Golfer: $150; Hole: $100 to Lanese for Ohio)

Thursday, August 23

Hamilton County GOP State Legislative golf outing fundraiser

Monday, August 27

Rep. Scott Ryan (R-Newark) golf outing fundraiser, Denison Golf Club, 555 Newark Granville Rd., Granville, 9 a.m., (9:00 am Registration, 10:00 am Shotgun Start. Event: $2500; Food and Beverage: $1000; Tee: $750; Foursome: $500; Golfer: $125; Green: $100 to Citizens for Scott Ryan)

Saturday, September 1

Lobbyists/Employers can begin filing May-August 2018 Activity & Expenditure Reports

Thursday, September 6

Deadline for statewide candidates to file August campaign finance reports

Thursday, September 27

Sen. President Larry Obhof (R-Medina) shotgun fundraiser

Friday, September 28

Rep. Dave Greenspan (R-Westlake) golf outing fundraiser
Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser

Monday, October 1

JLEC Deadline for filing May-August 2018 Activity & Expenditure Report

Wednesday, October 3

Deadline for statewide candidates to file September campaign finance reports

Thursday, October 25

Deadline to file pre-general campaign finance reports

Tuesday, November 6

General election day

Thursday, November 8

2018 Impact Ohio Post Election Conference, Greater Columbus Convention Center, 400 N. High St., Columbus

Saturday, December 1

Lobbyists can begin renewing Legislative, Executive and Retirement System registrations for 2019

Friday, December 14

Deadline to file post-general campaign finance reports

Monday, December 31

All 2018 Legislative, Executive and Retirement System lobbying registrations expire in OLAC

Thursday, January 31

Deadline to 2018 annual campaign finance reports

Deadline to 2018 annual campaign finance reports

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From: Ben Stein, Policy Matters Ohio
Sent: Saturday, June 30, 2018 9:06 AM
To: Sarko, Alyssa
Subject: Keep your head up: News from Policy Matters



Keep your head up: News from Policy Matters

t's been a rough couple of weeks for progressives in Ohio and across the nation. But let's not hang our heads. This edition of eNews features nine things we can do—right now—to help build a world we all want to live in. As everyone's favorite Wobbly songwriter Joe Hill put it, "Don't waste any time mourning — Organize!"

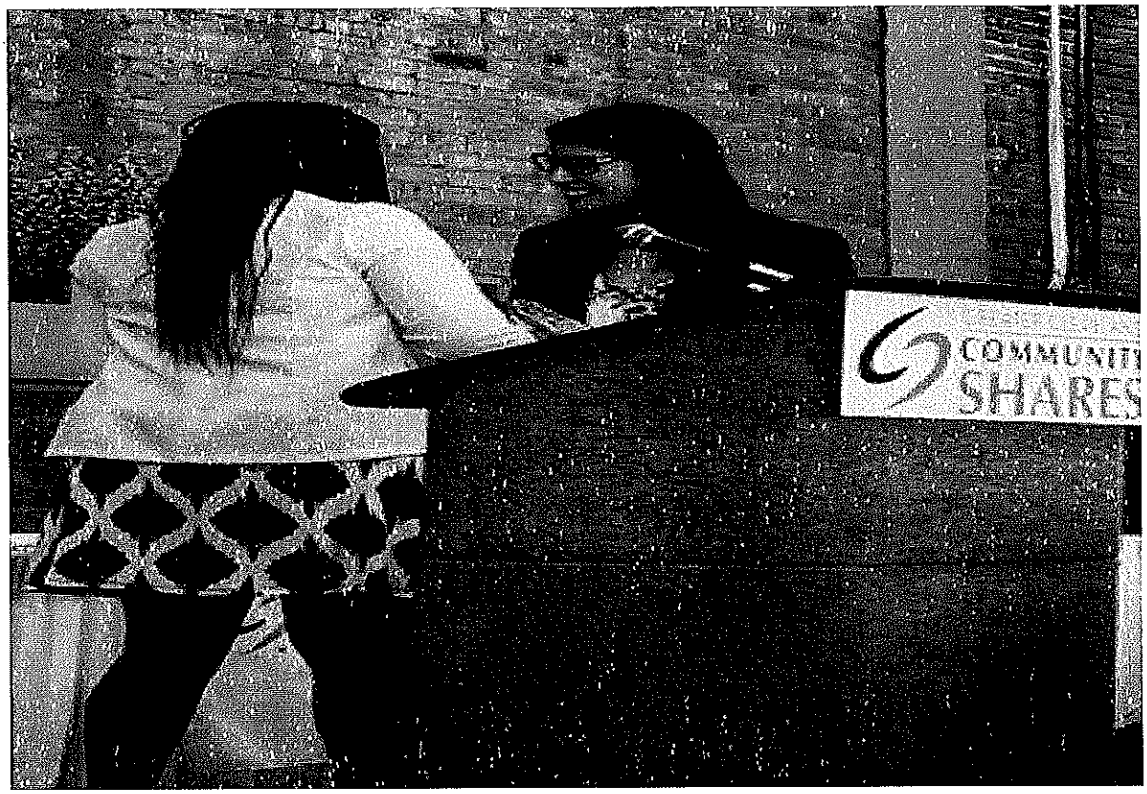
We can join and support unions: Though the Supreme Court's decision in *Janus v. AFSCME* is a transparent attempt to divide public sector workers, it doesn't prevent them from organizing. Though corporate-sponsored union-busting legislation has private sector unions in the crosshairs, it can't stop us from joining together to take back our workplaces. We know that unions make for safer, better jobs, especially for women and people of color. Now's the time to rally around our unions, public *and* private.

We can resist new Medicaid regulations: Looking for ways to stand up for Medicaid expansion? Then check out our website's new Medicaid landing page, where we've packaged Amanda Woodrum's deep dive into the effects of proposed cuts to expansion; Wendy Patton's exposé of the federal government's misleading justifications for Medicaid rule changes; factsheets that calculate the number of Medicaid enrollees at risk of losing their coverage in each Ohio county; and lots more. The page is a primer for understanding the threats posed by Governor Kasich's proposed changes, and a toolkit for resisting them.

Ve can make it easy for our officials to condemn Medicaid cuts: As the Cleveland office's resident attorney \manda Woodrum is making it simple for county and municipal governments to declare opposition to new Aedicaid regulations. Her two-page template lays out language for an official resolution, "urg[ing] the federal Centers for Medicare and Medicaid Services to disapprove the State of Ohio's Medicaid waiver request that vould force harmful cuts to Medicaid Expansion enrollment and increase the rate of uninsured in Ohio." You car ind the relevant data in your county's factsheet. Just enter the information into the fillable PDF and send the eady-made resolution to your county legislator or city council.

Ve can turn taxes right-side up: As a share of their income, Ohio's wealthiest 1 percent pay around half what eople pay at the bottom of the income scale. Experts call it an upside-down model. Zach and Wendy have uthored a plan to turn our taxes right-side up. Help us get our plan in front of the people who need to see it nost: gubernatorial candidates Rich Cordray and Mike DeWine. Tweet this link to @RichCordray and @MikeDeWine, and let them know Ohio's income tax system needs an overhaul.

Ve can (and did!) pressure our Senators to do what's right: Though the U.S. House of Representatives assed a Farm Bill that included shameful cuts to SNAP, the Senate passed a far better, bipartisan bill that lefends SNAP and helps food banks. Now the two houses need to agree on a compromise bill. Keep up the ressure on Senators Brown and Portman—both of whom supported the Senate bill—and call, email, and Twee our representative to show your support for a Farm Bill that won't let Ohioans go hungry.



Cynthia Connolly accepts Community Shares' 2018 Rising Activist award

Ve can celebrate inspiring activists: Policy Matters board members, staff, and interns turned out in support of ynthia Connolly this week, as she received the 2018 Rising Activist award from Greater Cleveland Community hares. The award honors Cynthia's work as our development director, and her advocacy for Cleveland's Native merican community. In her acceptance speech, Cynthia showed she's ready for what's next: "There is so much ork yet to be done, and I'm just getting started." Email Cynthia to congratulate her!

Ve can invest in our kids: High-quality child care and early childhood education make for happy, healthy kids ho grow up to be compassionate, productive adults. Rob Moore's new report explains how, and lays out policie at would expand access. Among them is a recommendation that Ohio Department of Job & Family Services traighten out their flawed formula for reimbursement. Let's make sure they get the message. Tweet @OhioJFS